Request for Proposals

For

Joseph S. Stauffer Library Main Floor Renovation

Request for Proposals No.:	**Q-2024-003-EL**
Issued:	**Tuesday, April 2, 2024**
Submission Deadline:	**Wednesday, May 8, 2024** before **3:00 PM ET**

Table of Contents

Part 1 – Invitation and Submission Instructions 3
1.1 Invitation to Proponents 3
1.2 Queen's University Background 4
1.3 RFP Contact 5
1.4 Type of Contract for Deliverables 5
1.5 RFP Timetable 5
1.6 Submission of Proposals 6
1.7 Accessibility for Ontarians with Disabilities Act 7
Part 2 – Evaluation, Negotiation and Award 8
2.1 Stages of Evaluation and Negotiation 8
2.2 Stage I – Mandatory Submission Requirements 8
2.3 Stage II – Evaluation 8
2.4 Stage III – Pricing 8
2.5 Stage IV – Ranking and Contract Negotiations 8
Part 3 – Terms and Conditions of the RFP Process 10
3.1 General Information and Instructions 10
3.2 Communication after Issuance of RFP 11
3.3 Notification and Debriefing 11
3.4 Conflict of Interest and Prohibited Conduct 12
3.5 Confidential Information 14
3.6 Procurement Process Non-binding 15
3.7 Governing Law and Interpretation 15
Appendix A – Form of Agreement 16
Appendix B – Submission Form 17
Appendix C – Pricing 20
APPENDIX C1 – Price Proposal Form 21
Appendix D – RFP Particulars 24
A. The Deliverables 24
B. Material Disclosures 24
C. Mandatory Submission Requirements 25
D. Mandatory Technical Requirements 25
E. Pre-Conditions of Award 25
F. Rated Criteria 26
Appendix E – Submission Instructions 31
Appendix F – Projects of Similar Size and Scope 33
Appendix G – Intent to Respond to RFP Form 34
APPENDIX H – Team and SUB-CONTRACTORS 35

Part 1 – Invitation and Submission Instructions

1.1 Invitation to Proponents

This Request for Proposals (the "RFP") is an invitation by Queen's University ("Queen's") to prospective proponents to submit proposals for Joseph S. Stauffer Library Main Floor Renovation as further described in Section A of the RFP Particulars (Appendix D) (the "Deliverables").

Scope of Work:

The Scope of Work pertains to relocation and renovation of library and student service offices, workspaces, and seating areas to create flexible, collaborative, state-of-the-art learning and teaching spaces. In support of the project, all affected areas will require retrofit the mechanical and electrical systems.

Work will include but is not limited to:

- Removal of existing finishes: flooring, ceiling, walls, and build-in furniture.
- Erection of new walls and installation of interior doors and glazing.
- Upgrades to mechanical ventilation systems.
- Upgrades to electrical systems including lighting.
- Installation of new suspended ceiling system.
- Installation of new interior finishes and built-in furniture.
- Coordinate the installation of all furniture (new and existing) and the associated mechanical and electrical services required to ensure the full functionality of the furniture. This includes the final placement / installation of the furniture to ensure all Queen's and OBC standards for accessibility are adhered to.

A trained, and competent site superintendent is to be exclusively assigned to this project. The assigned Superintendent must be dedicated **solely** to this project, their time must not be split or shared with another project regardless of the size, location, or duration of the project. The assigned Superintendent is to be on the construction site full time, 5 days a week (Monday to Friday) during regular working hours, 8:00am till 4:00pm. Any work scheduled outside of regular working hours (including afterhours, weekends, holidays etc) the Superintendent is required to be on site to provide supervision. **NO EXCEPTIONS**.

- The site superintendent will be responsible for, but not limited to:
- Being the main point of contact for all construction activities on-site.
- Being the main point of contact for building users regarding construction activities.
- Providing construction site access to Queen's maintenance trades as required.
- Scheduling building shutdowns that are required for the construction work to progress.
- Ensure quality control for all work associated with the project as reflected in the construction contract documents.

Project location: (Joseph S.) Stauffer Library – 101 Union St, Queen's University, Kingston ON

https://map.queensu.ca/?id=1955#!ct/56273?m/571464?s/

Preferred Schedule:

Start Date: May 2024

Preferred Completion Date: **The University's preference is to complete the Work in a single phase by August 2024. However, in reference to Drawings A031 and A032, portion of the work could be completed before the beginning of December 2024.**

1.2 Queen's University Background

Land Acknowledgement. Queen's is situated on traditional Anishinaabe and Haudenosaunee territory. We are grateful to be able to be live, learn and play on these lands.

Queen's is a university for the future. While we stand on a history of unparalleled academic and research achievement, we remain committed to challenging assumptions of the past. We drive forward the boundaries of knowledge through research and learning – all in service to our vision of an inclusive, diverse, and sustainable society.

The Queen's community seeks to solve the world's most significant and urgent challenges with intellectual curiosity, passion to achieve, and commitment to collaboration.

Home to more than 25,000 undergraduate and graduate students and over 5,000 faculty and staff, we attract those who are driven by an innate desire to venture out, and to be part of something bigger than themselves.

By offering an exceptional student experience, we invite and cultivate excellence and the capacity for leadership.

Queen's is a community for all. Welcoming and supportive of students and faculty from all countries and backgrounds, we embrace diversity of ideas and perspectives. And once here, our students and researchers enter a national and global network of innovators, advocates, and entrepreneurs who open doors for those who follow.

Our reputation for leading-edge physics, cancer research, geoengineering, data analytics, surveillance studies, social science and mental health research is well documented, highlighted by the 2015 Nobel Prize in Physics. Yet beyond our robotics labs, research centres, and innovation hubs exists a dedication to giving students a well-rounded student experience.

State-of-the-art cultural facilities – including the Isabel Bader Centre for the Performing Arts and the Agnes Etherington Art Centre, showcase world-class performing arts and collections, including the largest collection of works by Rembrandt in public galleries in Canada.

Social and Sustainable Procurement. Queen's is committed to building a culture that contributes to inclusive, vibrant, and safe communities. Our procurement practices can be a powerful tool whereby Queen's can encourage diversity and support individuals from equity-deserving groups, along with supporting the university as we advance reconciliation/conciliation with Indigenous peoples. What we buy and how we buy it can have a great impact on the environment and society as a whole.

For more information, please visit our website.

1.3 RFP Contact

For the purposes of this procurement process, the "RFP Contact" will be:

Patrick Fisher | Email: patrick.fisher@queensu.ca | Phone: (613) 533-2156

Proponents and their representatives are not permitted to contact any employees, officers, agents, elected or appointed officials or other representatives of Queen's, other than the RFP Contact, concerning matters regarding this RFP. Failure to adhere to this rule may result in the disqualification of the proponent and the rejection of the proponent's proposal.

1.4 Type of Contract for Deliverables

The selected proponent will be requested to enter into direct contract negotiations to finalize an agreement with Queen's for the provision of the Deliverables. The terms and conditions found in the Form of Agreement (Appendix A) are to form the basis for commencing negotiations between Queen's and the selected proponent. It is Queen's intention to enter into an agreement with only one (1) legal entity.

1.4.1 Original Term of Contract

Anticipated date of substantial completion is **December 27th, 2024**.

1.4.2 Extension

No extension term available.

1.5 RFP Timetable

Issue Date of RFP	**Tuesday, April 2, 2024**
Mandatory Site Visit Joseph S. Stauffer Library Main Entrance 101 Union St. (NW Corner of Union and University) Queen's University, Kingston ON https://map.queensu.ca/?id=1955#!ct/56273?m/571464?s/	**Wednesday, April 10, 2024** at **1:30pm**
Intent to Respond (Appendix G)	**Monday, May 6, 2024**
Deadline for Questions	**Friday, April 26, 2024** by **4:00 PM ET**
Deadline for Issuing Addenda	**Wednesday, May 1, 2024**
Submission Deadline	**Wednesday, May 8, 2024** before **3:00 PM ET**
Rectification Period	24 hours
Contract Negotiation Period	Up to 30 calendar days

Anticipated Execution of Agreement	May 2024

The RFP timetable is tentative only and may be changed by Queen's at any time. For greater clarity, business days means all days that Queen's is open for business.

1.6 Submission of Proposals

1.6.1 Proposals to be Submitted at Prescribed Location

Proposals must be submitted through Queen's online Bonfire portal.

Submissions by other methods will not be accepted. Submission Instructions for this RFP opportunity are outlined in Appendix E.

1.6.2 Proposals to be Submitted on Time

Proposals must be uploaded and finalized before the Submission Deadline set out in the RFP Timetable.

Uploading large documents may take significant time, depending on file size and internet connection speed. It is strongly recommended that proponents allow sufficient time of at least one day before the Submission Deadline to upload documents and finalize submissions.

Proponents will receive an email confirmation receipt with a unique confirmation number upon finalizing their submissions.

1.6.3 Proposals to be Submitted in Prescribed Format

Submission materials should be prepared in the file formats listed under Requested Information for this opportunity in the Bonfire portal.

The maximum upload file size is 1000 MB.

Documents should not be embedded within uploaded files, as the embedded files will not be accessible or evaluated.

1.6.4 Amendment of Proposals

Proponents may amend their proposals prior to the Submission Deadline by un-submitting the proposal and re-submitting a revised proposal through the Bonfire portal.

1.6.5 Withdrawal of Proposals

At any time throughout the RFP process until the execution of a Framework Agreement for provision of the Deliverables, a proponent may withdraw a submitted proposal. To withdraw a proposal prior to the Submission Deadline, a proponent should un-submit the proposal through the Bonfire portal.

Following the Submission Deadline, a notice of withdrawal must be sent to the RFP Contact and must be signed by an authorized representative of the proponent.

1.7 Accessibility for Ontarians with Disabilities Act

The Accessibility for Ontarians with Disabilities Act, 2005 – O. Reg. 429/07, applies to the services provided by the proponent. This Regulation establishes accessibility standards for customer service, and it applies to every designated public sector organization and to every other person or organization that provides goods or services to members of the public or other third parties and that has at least one employee in Ontario. About Accessibility Laws.

The University offers an online training program. If accessing Queen's training, navigate to the sign in section. When signing in, proponent should select the Email Address option. Questions regarding this training program, can be directed to the Queen's Human Rights and Equity Office (email: equity@queensu.ca or phone (613) 533-2563).

Accessibility evaluation criteria is further described in Rated Criteria.

[End of Part 1]

Part 2 – Evaluation, Negotiation and Award

2.1 Stages of Evaluation and Negotiation

Queen's will conduct the evaluation of proposals and negotiations in the following stages.

2.2 Stage I – Mandatory Submission Requirements

Stage I will consist of a review to determine which proposals comply with all of the mandatory submission requirements. If a proposal fails to satisfy all of the mandatory submission requirements, Queen's will issue the proponent a rectification notice identifying the deficiencies and providing the proponent an opportunity to rectify the deficiencies. If the proponent fails to satisfy the mandatory submission requirements within the Rectification Period, its proposal will be rejected. The Rectification Period will begin to run from the date and time that Queen's issues a rectification notice to the proponent. The mandatory submission requirements are set out in Section C of the RFP Particulars (Appendix D).

2.3 Stage II – Evaluation

Stage II will consist of the following two sub-stages:

2.3.1 Mandatory Technical Requirements

Queen's will review the proposals to determine whether the mandatory technical requirements as set out in Section D of the RFP Particulars (Appendix D) have been met. Questions or queries on the part of Queen's as to whether a proposal has met the mandatory technical requirements will be subject to the verification and clarification process set out in Part 3.

2.3.2 Rated Criteria

Queen's will evaluate each qualified proposal on the basis of the non-price rated criteria as set out in Section F of the RFP Particulars (Appendix D).

2.4 Stage III – Pricing

Stage IV will consist of a scoring of the submitted pricing of each qualified proposal in accordance with the price evaluation method set out in Pricing (Appendix C). The evaluation of price will be undertaken after the evaluation of mandatory requirements and rated criteria has been completed.

2.5 Stage IV – Ranking and Contract Negotiations

2.5.1 Ranking of Proponents

After the completion of Stage IV, all scores from Stage II, Stage III, will be added together and the proponents will be ranked based on their total scores. The top-ranked proponent will receive a written invitation to enter into direct contract negotiations to finalize the agreement with Queen's. In the event of a tie, the selected proponent will be the proponent selected by way of the highest score on the rated criteria.

2.5.2 Contract Negotiation Process

Any negotiations will be subject to the process rules contained in the Terms and Conditions of the RFP Process (Part 3) and will not constitute a legally binding offer to enter into a contract on the part of Queen's or the proponent and there will be no legally binding relationship created with any proponent prior to the execution of a written agreement. The terms and conditions found in the Form of Agreement (Appendix A) are to form the basis for commencing negotiations between Queen's and the selected proponent. Negotiations may include requests by Queen's for supplementary information from the proponent to verify, clarify or supplement the information provided in its proposal or to confirm the conclusions reached in the evaluation, and may include requests by Queen's for improved pricing or performance terms from the proponent.

2.5.3 Time Period for Negotiations

Queen's intends to conclude negotiations and finalize the agreement with the top-ranked proponent during the Contract Negotiation Period, commencing from the date Queen's invites the top-ranked proponent to enter negotiations. A proponent invited to enter into direct contract negotiations should therefore be prepared to satisfy the pre-conditions of award listed in Section E of the RFP Particulars (Appendix D), provide requested information in a timely fashion and conduct its negotiations expeditiously.

2.5.4 Failure to Enter into Agreement

If the pre-conditions of award listed in Section E of the RFP Particulars (Appendix D) are not satisfied or if the parties cannot conclude negotiations and finalize the agreement for the Deliverables within the Contract Negotiation Period, Queen's may discontinue negotiations with the top-ranked proponent and may invite the next-best-ranked proponent to enter into negotiations. This process will continue until an agreement is finalized, until there are no more proponents remaining that are eligible for negotiations or until Queen's elects to cancel the RFP process.

2.5.5 Notification of Negotiation Status

Other proponents that may become eligible for contract negotiations may be notified at the commencement of the negotiation process with the top-ranked proponent.

[End of Part 2]

Part 3 – Terms and Conditions of the RFP Process

3.1 General Information and Instructions

3.1.1 Proponents to Follow Instructions

Proponents should structure their proposals in accordance with the instructions in this RFP. Where information is requested in this RFP, any response made in a proposal should reference the applicable section numbers of this RFP.

3.1.2 Proposals in English

All proposals are to be in English only.

3.1.3 No Incorporation by Reference

The entire content of the proponent's proposal should be submitted in a fixed form, and the content of websites or other external documents referred to in the proponent's proposal but not attached will not be considered to form part of its proposal.

3.1.4 References and Past Performance

In the evaluation process, Queen's may include information provided by the proponent's references and may also consider the proponent's past performance or conduct on previous contracts with Queen's or other institutions.

3.1.5 Information in RFP Only an Estimate

Queen's and its advisers make no representation, warranty, or guarantee as to the accuracy of the information contained in this RFP or issued by way of addenda. Any quantities shown or data contained in this RFP or provided by way of addenda are estimates only and are for the sole purpose of indicating to proponents the general scale and scope of the Deliverables. It is the proponent's responsibility to obtain all the information necessary to prepare a proposal in response to this RFP.

3.1.6 Proponents to Bear Their Own Costs

The proponent will bear all costs associated with or incurred in the preparation and presentation of its proposal, including, if applicable, costs incurred for interviews or demonstrations.

3.1.7 Proposal to be Retained by Queen's

Queen's will not return the proposal, or any accompanying documentation submitted by a proponent.

3.1.8 No Guarantee of Volume of Work or Exclusivity of Contract

Queen's makes no guarantee of the value or volume of work to be assigned to the successful proponent. The agreement to be negotiated with the selected proponent will not be an exclusive

contract for the provision of the described Deliverables. Queen's may contract with others for goods and services the same as or similar to the Deliverables or may obtain such goods and services internally.

3.2 Communication after Issuance of RFP

3.2.1 Proponents to Review RFP

Proponents should promptly examine all of the documents comprising this RFP and may direct questions or seek additional information in writing by email to the RFP Contact on or before the Deadline for Questions. No such communications are to be directed to anyone other than the RFP Contact. Queen's is under no obligation to provide additional information, and Queen's is not responsible for any information provided by or obtained from any source other than the RFP Contact. It is the responsibility of the proponent to seek clarification from the RFP Contact on any matter it considers to be unclear. Queen's is not responsible for any misunderstanding on the part of the proponent concerning this RFP or its process.

3.2.2 All New Information to Proponents by Way of Addenda

This RFP may be amended only by addendum in accordance with this section. If Queen's, for any reason, determines that it is necessary to provide additional information relating to this RFP, such information will be communicated to all proponents by addendum. Each addendum forms an integral part of this RFP and may contain important information, including significant changes to this RFP. Proponents are responsible for obtaining all addenda issued by Queen's. In the Submission Form (Appendix B), proponents should confirm their receipt of all addenda by setting out the number of each addendum in the space provided.

3.2.3 Post-Deadline Addenda and Extension of Submission Deadline

If Queen's determines that it is necessary to issue an addendum after the Deadline for Issuing Addenda, Queen's may extend the Submission Deadline for a reasonable period of time.

3.2.4 Verify, Clarify and Supplement

When evaluating proposals, Queen's may request further information from the proponent or third parties in order to verify, clarify or supplement the information provided in the proponent's proposal, including but not limited to clarification with respect to whether a proposal meets the mandatory technical requirements set out in Section D of the RFP Particulars (Appendix D). Queen's may revisit, re-evaluate, and rescore the proponent's response or ranking on the basis of any such information.

3.3 Notification and Debriefing

3.3.1 Notification to Other Proponents

Once an agreement is executed by Queen's and a proponent, the other proponents may be notified directly in writing and will be notified by public posting, in the same manner that this RFP was originally posted, of the outcome of the procurement process.

3.3.2 Debriefing

Proponents may request a debriefing after receipt of a notification of the outcome of the procurement process. All requests must be in writing to the RFP Contact and must be made within sixty (60) days of such notification.

3.3.3 Procurement Protest Procedure

If a proponent wishes to challenge the RFP process, it should provide written notice, within 10 days of the notice of award, to the RFP Contact in accordance with Queen's procurement protest procedures and any applicable trade agreement or other applicable bid protest procedures. The notice must provide a detailed explanation of the proponent's concerns with the procurement process or its outcome.

Dispute

In the event that a proponent wishes to review the decision of Queen's in respect of any material aspect of the RFP process, the proponent shall submit a protest in writing to Queen's within ten (10) business days from the date of posting of a contract award notification in respect of the RFP.

Any protest in writing that is not timely received will not be considered and the proponent will be so notified in writing.

A protest in writing shall include the following:

1. A specific identification of the provision and/or procurement procedure that is alleged to have been breached;
2. A specific description of each act alleged to have breached the procurement process;
3. A precise statement of the relevant facts;
4. An identification of the issues to be resolved;
5. The proponent's arguments and supporting documentation; and
6. The proponent's requested remedy.

For the purpose of a protest under this RFP, Queen's Director, Strategic Procurement Services will review and address any bid protest in a timely and appropriate manner.

3.4 Conflict of Interest and Prohibited Conduct

3.4.1 Conflict of Interest

For the purposes of this RFP, the term "Conflict of Interest" includes, but is not limited to, any situation or circumstance where:

(a) in relation to the RFP process, the proponent has an unfair advantage or engages in conduct, directly or indirectly, that may give it an unfair advantage, including but not limited to (i) having, or having access to, confidential information of Queen's in the preparation of its proposal that is not available to other proponents, (ii) communicating with any person with a view to influencing preferred treatment in the RFP process (including but not limited to the lobbying of decision makers involved in the RFP process), or (iii) engaging in conduct that

compromises, or could be seen to compromise, the integrity of the open and competitive RFP process or render that process non-competitive or unfair; or

(b) in relation to the performance of its contractual obligations under a contract for the Deliverables, the proponent's other commitments, relationships, or financial interests (i) could, or could be seen to, exercise an improper influence over the objective, unbiased and impartial exercise of its independent judgement, or (ii) could, or could be seen to, compromise, impair or be incompatible with the effective performance of its contractual obligations.

3.4.2 Disqualification for Conflict of Interest

Queen's may disqualify a proponent for any conduct, situation, or circumstances, determined by Queen's, in its sole and absolute discretion, to constitute a Conflict of Interest as defined above.

3.4.3 Disqualification for Prohibited Conduct

Queen's may disqualify a proponent, rescind an invitation to negotiate or terminate a contract subsequently entered into if Queen's determines that the proponent has engaged in any conduct prohibited by this RFP.

3.4.4 Prohibited Proponent Communications

Proponents must not engage in any communications that could constitute a Conflict of Interest and should take note of the Conflict of Interest declaration set out in the Submission Form (Appendix B).

3.4.5 Proponent Not to Communicate with Media

Proponents must not at any time directly or indirectly communicate with the media in relation to this RFP or any agreement entered into pursuant to this RFP without first obtaining the written permission of the RFP Contact.

3.4.6 No Lobbying

Proponents must not, in relation to this RFP or the evaluation and selection process, engage directly or indirectly in any form of political or other lobbying whatsoever to influence the selection of the successful proponent(s).

3.4.7 Trade Shows on Campus

For the entire period covered by the RFP process (the Blackout Period) – from the date the RFP is issued to the date when the winning bid is announced proponents must not set up trade shows anywhere on Queen's University Campus.

3.4.8 Illegal or Unethical Conduct

Proponents must not engage in any illegal business practices, including activities such as bid-rigging, price-fixing, bribery, fraud, coercion, or collusion. Proponents must not engage in any unethical

conduct, including lobbying, as described above, or other inappropriate communications; offering gifts to any employees, officers, agents, elected or appointed officials or other representatives of Queen's; deceitfulness; submitting proposals containing misrepresentations or other misleading or inaccurate information; or any other conduct that compromises or may be seen to compromise the competitive process provided for in this RFP.

3.4.9 Past Performance or Past Conduct

Queen's may prohibit a supplier from participating in a procurement process based on past performance or based on inappropriate conduct in a prior procurement process, including but not limited to the following:

(a) illegal or unethical conduct as described above;

(b) the refusal of the supplier to honour its submitted pricing or other commitments; or

(c) any conduct, situation or circumstance determined by Queen's, in its sole and absolute discretion, to have constituted an undisclosed Conflict of Interest.

3.5 Confidential Information

3.5.1 Confidential Information of Queen's

All information provided by or obtained from Queen's in any form in connection with this RFP either before or after the issuance of this RFP

(a) is the sole property of Queen's and must be treated as confidential;

(b) is not to be used for any purpose other than replying to this RFP and the performance of any subsequent contract for the Deliverables;

(c) must not be disclosed without prior written authorization from Queen's; and

(d) must be returned by the proponent to Queen's immediately upon the request of Queen's.

3.5.2 Confidential Information of Proponent

A proponent should identify any information in its proposal, or any accompanying documentation supplied in confidence for which confidentiality is to be maintained by Queen's. The confidentiality of such information will be maintained by Queen's, except as otherwise required by law or by order of a court or tribunal. Proponents are advised that the *Freedom of Information and Protection of Privacy Act* ("FIPPA"), R.S.O. 1990, c.F.31, as amended, applies to information provided to Queen's by a proponent and may be the subject of an Access to Information request; Queen's will respond to such requests in accordance with section 17 of FIPPA. Proponents are advised that their proposals will, as necessary, be disclosed, on a confidential basis, to advisers retained by Queen's to advise or assist with the RFP process, including the evaluation of proposals. If a proponent has any questions about the collection and use of personal information pursuant to this RFP, questions are to be submitted to the RFP Contact.

3.6 Procurement Process Non-binding

3.6.1 No Contract A and No Claims

This procurement process is not intended to create and will not create a formal, legally binding bidding process and will instead be governed by the law applicable to direct commercial negotiations. For greater certainty and without limitation:

(a) this RFP will not give rise to any Contract A–based tendering law duties or any other legal obligations arising out of any process contract or collateral contract; and

(b) neither the proponent nor Queen's will have the right to make any claims (in contract, tort, or otherwise) against the other with respect to the award of a contract, failure to award a contract or failure to honour a proposal submitted in response to this RFP.

3.6.2 No Contract until Execution of Written Agreement

This RFP process is intended to identify prospective suppliers for the purposes of negotiating potential agreements. No legal relationship or obligation regarding the procurement of any good or service will be created between the proponent and Queen's by this RFP process until the successful negotiation and execution of a written agreement for the acquisition of such goods and/or services.

3.6.3 Non-binding Price Estimates

While the pricing information provided in proposals will be non-binding prior to the execution of a written agreement, such information will be assessed during the evaluation of the proposals and the ranking of the proponents. Any inaccurate, misleading, or incomplete information, including withdrawn or altered pricing, could adversely impact any such evaluation or ranking or the decision of Queen's to enter into an agreement for the Deliverables.

3.6.4 Cancellation

Queen's may cancel or amend the RFP process without liability at any time.

3.7 Governing Law and Interpretation

These Terms and Conditions of the RFP Process (Part 3):

(a) are intended to be interpreted broadly and independently (with no particular provision intended to limit the scope of any other provision);

(b) are non-exhaustive and will not be construed as intending to limit the pre-existing rights of the parties to engage in pre-contractual discussions in accordance with the common law governing direct commercial negotiations; and

(c) are to be governed by and construed in accordance with the laws of the province of Ontario and the federal laws of Canada applicable therein.

[End of Part 3]

Appendix A – Form of Agreement

CCDC-2 (2020) with Queen's University Supplemental Conditions.

Queen's posted Payment Terms and Methods (if applicable) are available on our website.

Appendix B – Submission Form

1. Proponent Information

Please fill out the following form, naming one person to be the proponent's contact for the RFP process and for any clarifications or communication that might be necessary.	
Full Legal Name of Proponent:	
Any Other Relevant Name under which Proponent Carries on Business:	
Street Address:	
City, Province/State:	
Postal Code:	
Phone Number:	
Fax Number:	
Company Website (if any):	
Proponent Contact Name and Title:	
Proponent Contact Phone:	
Proponent Contact Fax:	
Proponent Contact Email:	

2. Acknowledgment of Non-binding Procurement Process

The proponent acknowledges that the RFP process will be governed by the terms and conditions of the RFP, and that, among other things, such terms and conditions confirm that this procurement process does not constitute a formal, legally binding bidding process (and for greater certainty, does not give rise to a Contract A bidding process contract), and that no legal relationship or obligation regarding the procurement of any good or service will be created between Queen's and the proponent unless and until Queen's and the proponent execute a written agreement for the Deliverables.

3. Ability to Provide Deliverables

The proponent has carefully examined the RFP documents and has a clear and comprehensive knowledge of the Deliverables required. The proponent represents and warrants its ability to provide the Deliverables in accordance with the requirements of the RFP for the rates set out in its proposal.

4. Non-binding Pricing

The proponent has submitted its pricing in accordance with the instructions in the RFP and in Pricing (Appendix C) in particular. The proponent confirms that the pricing information provided is accurate. The proponent acknowledges that any inaccurate, misleading, or incomplete information, including

withdrawn or altered pricing, could adversely impact the acceptance of its proposal or its eligibility for future work.

5. Addenda

The proponent is deemed to have read and taken into account all addenda issued by Queen's prior to the Deadline for Issuing Addenda. The proponent is requested to confirm that it has received all addenda by listing the addenda numbers, or if no addenda were issued by writing the word "None", on the following line: _____. Proponents who fail to complete this section will be deemed to have received all posted addenda.

6. No Prohibited Conduct

The proponent declares that it has not engaged in any conduct prohibited by this RFP.

7. Conflict of Interest

Proponents must declare all potential Conflicts of Interest, as defined in section 3.4.1 of the RFP. This includes disclosing the names and all pertinent details of all individuals (employees, advisers, or individuals acting in any other capacity) who (a) participated in the preparation of the proposal; **AND** (b) were employees of Queen's within twelve (12) months prior to the Submission Deadline.

If the box below is left blank, the proponent will be deemed to declare that (a) there was no Conflict of Interest in preparing its proposal; and (b) there is no foreseeable Conflict of Interest in performing the contractual obligations contemplated in the RFP.

Otherwise, if the statement below applies, check the box.

- ❑ The proponent declares that there is an actual or potential Conflict of Interest relating to the preparation of its proposal, and/or the proponent foresees an actual or potential Conflict of Interest in performing the contractual obligations contemplated in the RFP.

If the proponent declares an actual or potential Conflict of Interest by marking the box above, the proponent must set out below details of the actual or potential Conflict of Interest:

_____

_____

_____

_____

8. Disclosure of Information

The proponent hereby agrees that any information provided in this proposal, even if it is identified as being supplied in confidence, may be disclosed where required by law or by order of a court or tribunal. The proponent hereby consents to the disclosure, on a confidential basis, of this proposal by Queen's to the advisers retained by Queen's to advise or assist with the RFP process, including with respect to the evaluation this proposal.

I have the authority to bind the proponent.

Signature of Witness	Signature of Proponent Representative
Name of Witness	Name of Proponent Representative
	Title of Proponent Representative
	Date

Appendix C – Pricing

1. Instructions on How to Provide Pricing

(a) Proponents should provide the information requested under section 3 below ("Required Pricing Information") by reproducing and completing the table below in their proposals, or, if there is no table below, by completing the attached form and including it in their proposals. **Note: Pricing should only be included in Appendix C1 and not in any other documents submitted as part of the response. Under no circumstances should pricing be included in any file uploaded to the Written Proposal slot or Additional Info slot(s).**

(b) Rates must be provided in Canadian funds unless otherwise permitted on the Rate Bid form. Harmonized Sales Tax (HST), Goods & Services Tax (GST) or Provincial Sales Tax (PST) should be itemized separately and not included in the rate.

(c) Rates must be inclusive of all applicable duties and other taxes except noted above. Relevant taxes on shipping should be included, but sales taxes should not be.

(d) Rates quoted by the proponent must be all-inclusive and must include all labour and material costs, all travel and carriage costs, all insurance costs, all costs of delivery, all costs of installation and set-up, including any pre-delivery inspection charges, and all other overhead, including any fees or other charges required by law.

2. Evaluation of Pricing

Pricing is worth **40** points of the total score.

Pricing will be scored based on a relative pricing formula using the rates set out in the pricing form. Each proponent will receive a percentage of the total possible points allocated to price for the particular category it has bid on, which will be calculated in accordance with the following formula:

lowest price ÷ proponent's price x weighting = proponent's pricing points

3. Required Pricing Information

Please refer to Appendix C1 – Price Proposal Form

APPENDIX C1 – Price Proposal Form

PROJECT: Q-2024-003-EL Joseph S. Stauffer Library Main Floor Renovation

Company Name: _____

The Drawings, Specifications and other Contract Documents for this Project, have been examined, as well as the premises and job site conditions affecting the work. The Company hereby offers to complete the work in accordance with the Contract Documents for the following Total Price, excluding HST, GST or PST in Canadian Funds:

Total Price (Sum of A-I) (Used for scoring - 40 pts)	$

Price Breakdown (for informational purposes only *)

A. Mobilization • Permits (including building permit), bonding, insurance • Engineered shoring, overhead protection, scaffolding • Sub-phasing, hoarding and signage Construction mobilization	$
B. Demolition • Deconstruction work • Disposal of removed materials	$
C. Interior construction • Framing • Drywall • Metal doors & frames	$
D. Architectural Woodwork • Hardwood framed partitions • Wood doors & frames • Build-in furniture	$
E. Architectural finishes • Suspended ceilings • Painting • Acoustical wall finishes • Ceramic tile • Flooring • Accessories	$
F. Mechanical • HVAC • Plumbing • Fire protection	$

G. Electrical • Lighting and controls • Power • IT/Telecom	$
H. Perform all other miscellaneous work as defined in the contract documents:	$
I. Demobilization	$

*NOTE:

The cost breakdowns being requested on this form are assumed to be approximate values at the time of bid submission. The successful bidder and their suppliers will be required to provide additional pricing breakdown information as requested by the owner and consultants.

APPENDIX C1 – Price Proposal Form (cont.)

Separate Prices

Note separate prices to be the total cost to fully complete scope of item as listed to be fully operational and include all architectural, mechanical and electrical work as listed in the drawings and specifications.

Separate Price #1 • Information service desk • Scope as indicated on drawings and specifications	$
Separate Price #2 • Universal washroom block - Rooms 136 & 138 • Scope as indicated on drawings and specifications	$
Separate Price #3 • Back of house - Rooms 102, 103, 105A&B • Scope as indicated on drawings and specifications	$
Separate Price #4 • Quiet Space – Room 139 • Scope as indicated on drawings and specifications	$
Separate Price #5 • Security desk – Room 118A • Scope as indicated on drawings and specifications	$

*NOTE:

The cost breakdowns being requested on this form are assumed to be approximate values at the time of bid submission. The successful bidder and their suppliers will be required to provide additional pricing breakdown information as requested by the owner and consultants.

Appendix D – RFP Particulars

A. The Deliverables

Scope of Work:

The Scope of Work pertains to relocation and renovation of library and student service offices, workspaces, and seating areas to create flexible, collaborative, state-of-the-art learning and teaching spaces. In support of the project, all affected areas will require retrofit the mechanical and electrical systems.

Work will include but is not limited to:

- Removal of existing finishes: flooring, ceiling, walls, and build-in furniture.
- Erection of new walls and installation of interior doors and glazing.
- Upgrades to mechanical ventilation systems.
- Upgrades to electrical systems including lighting.
- Installation of new suspended ceiling system.
- Installation of new interior finishes and built-in furniture.
- Coordinate the installation of all furniture (new and existing) and the associated mechanical and electrical services required to ensure the full functionality of the furniture. This includes the final placement / installation of the furniture to ensure all Queen's and OBC standards for accessibility are adhered to.

Project location: (Joseph S.) Stauffer Library – 101 Union St, Queen's University, Kingston ON

https://map.queensu.ca/?id=1955#!ct/56273?m/571464?s/

Preferred Schedule:

Start Date: May 2024

Preferred Completion Date: **The University's preference is to complete the Work in a single phase by August 2024. However, in reference to Drawings A031 and A032, portion of the work could be completed before the beginning of December 2024.**

B. Material Disclosures

The Designated Substance Report (DSR) is included as an attachment to this RFP.

Alternate products must be submitted, reviewed and approved by Queen's Facilities and consultant *during the bidding period* prior to acceptance. Alternate products submitted after bid closing will not be considered.

NOTE: it is Queen's intent to award the contract under this RFP in advance of the anticipated on-site mobilization. This will allow the contactor to prepare shop drawings and order equipment in advance of construction activities. Queen's will provide payment for equipment purchased and delivered to site, the contractor will be responsible to store materials until they are required for installation. Queen's expects full disclosure of all order dates, shipping dates, and delivery confirmation dates of

all major equipment. It is our intent to not start demolition work on site until firm equipment delivery dates are provided.

Queen's University preferred method of payment is Visa Payables Automation (VPA). Details regarding the university's post payment methods and terms can be found in Appendix A – Form of Agreement.

C. Mandatory Submission Requirements

1. Submission Form (Appendix B)

Each proposal must include a Submission Form (Appendix B) completed and signed by an authorized representative of the proponent.

2. Pricing (Appendix C1)

Each proposal must include pricing information that complies with the instructions contained in Pricing (Appendix C). **Note: Pricing should only be included in Appendix C1 and not in any other documents submitted as part of the response. Under no circumstances should pricing be included in any file uploaded to the Written Proposal slot or Additional Info slot(s).**

3. Projects of Similar Size and Scope (Appendix F)

Each proponent is requested to provide three (3) references from clients who have obtained goods or services similar to those requested in this RFP from the proponent.

4. Other Mandatory Submission Requirements

Agreement to Bond 50/50 Performance and Labour issued by an Insurance Broker or bank guarantee naming the principal as the Proponent's legal name

D. Mandatory Technical Requirements

N/A

E. Pre-Conditions of Award

The following pre-conditions of award must be met by the selected proponent before the contract can be awarded:

- Certificate of Insurance.
- WSIB Certificate.
- Accessibility for Ontarians with Disabilities – Proof of completion of AODA training.
- NEW: Call It Out (Anti-Racism training) – Proof of completion of Queen's training for any personnel on a Queen's account.
- License or Certification Documentation.
- Compliance with any Queen's University policies and procedures with respect to health and safety, including but not limited to the University's requirements with respect to COVID

prevention. Up-to-date information regarding COVID-related policies and procedures can be found at on our website.

F. Rated Criteria

The following sets out the categories, weightings, and descriptions of the rated criteria of the RFP. Proponents who do not meet a minimum threshold score for a category will not proceed to the next stage of the evaluation process.

Rated Criteria Category		**Weighting (Points)**
Stage II		
i.	Projects of Similar Size and Scope – Appendix F – 5 points per project	15 points
ii.	Team Profile/Subcontractors – Appendix H	5 points
iii.	Key Personnel – Site Superintendent Qualifications	12 points
iv.	Project risks and controls	12 points
v.	Proposed detailed schedule	10 points
vi.	NEW: Social and sustainable procurement	6 points
Stage II sub-total		**60 points**
Pricing (See Appendix C for details)		**40 Points**
Total Points		**100 Points**

Proposals failing to meet the minimum threshold requirement of 75% or 52.5 points, (52.5 points is 75% of Total Rated Criteria Points) subject to the reserved rights of Queen's University, may be disqualified and not evaluated further. If no proposal meets the minimum threshold requirement of 75%, then Queen's University reserves the right, in its sole and absolute discretion, to invite up to three of the highest scoring Proponents to the next stage of the evaluation.

Proposal Content for Non-Price Criteria

i. Projects of similar size and scope - Appendix F [15 points – 5 Points/Project]

Submit 3 examples/references of projects of similar size and scope, specifically related to building repair and renovation. The examples should be the same ones as provided in Appendix F. Include description of the project and:

- Contract Start Date & Planned Completion Date
- Actual Date of Substantial Completion
- Actual Final Completion Date
- Original Contract Value at Award
- Final Contract Value at Completion

ii. Team Profile/ Subcontractors – Appendix H [5 points]

List the following companies (sub-trades) that will be involved in this project and identify the work that they will be performing. Identify own forces as required.

- Demolition
- Framing / Dry Wall
- Architectural Woodwork
- Painting
- Flooring
- HVAC
- Plumbing
- Fire protection
- Electrical
- IT/Telecom

iii. Key Personnel Qualifications – Site Superintendent [12 points]

Suggested page limit – 2 pages per person

Provide resumes of all proposed key person(s) that will be assigned to this Project. At a minimum, Provide resumes for the following:

Site Superintendent

The resumes should clearly outline the role, responsibilities and achievements of the key individuals, and not just a list of completed projects. Include examples of skills and knowledge exhibited on projects of similar size and scope; in each example, describe how their skills and knowledge are relatable to this project. Project details should include project dates, construction budgets and project descriptions.

Provide at least one proposed back-up personnel for each key position and provide resumes as well.

Note: Queen's University will expect all Key Personnel identified in the response to the RFP, and their roles, to remain unchanged. Changes to Key Personnel can only be made with the written consent of Queen's University in its sole discretion. A change made prior to or during the RFP phase may disqualify the Respondent.

iv. Project Risks and Controls – Specific to this project [12 points]

Identify the Risks you anticipate with the work of *this Project* that may affect schedule, cost, quality, etc. and your strategy to avoid delays and minimize change requests.

Provide details on how the company implements Control Risk management and provide specific examples of risks encountered, how they were identified and what tools the company used to identify, control and mitigate the risk.

v. Proposed detailed schedule [10 points]

Provide a schedule (MS Project format is preferred) showing the project deadline, and the interdependencies between the work packages in a clear and understandable manner. The detailed work schedule shall identify major milestones and clearly demonstrate the chronological sequence of tasks.

vi. Social and Sustainable Procurement (6 points)

Queen's is committed to progressing sustainable, ethical, and social initiatives through buying practices. Queen's is looking to understand how proponents are embracing the same initiatives through their organizational policies and practices, and through their own supply streams.

Each proponent should provide in its proposal, responses to the following sections:

Your organization:

Are you a small business[1]? If yes, please provide the number of paid employees that you have.	Yes/No	
Are you a social enterprise[2] or a diverse/Indigenous[3] owned business? If yes, please self-identify which classification (select all that apply): ❑ 2SLGBTQIA+ ❑ Indigenous ❑ Indigenous Elder ❑ Newcomer(s) to Canada ❑ Person(s) with Disabilities ❑ Racialized Person(s) ❑ Veteran(s) ❑ Women Owned ❑ Other – please specify: If you have third-party certification, please feel free to provide in your response.	Yes/No	
Do you pay a living wage to staff in the region in which you operate your business?	Yes/No	
a) Do you offer apprenticeships, internships, or job shadowing opportunities? If yes, please provide examples.	Yes/No	(1 point)
b) Do you offer apprenticeships, internships, or job shadowing opportunities to equity-deserving and Indigenous groups? If yes, please provide examples.	Yes/No	(1 point)

[1] As per Statistics Canada, a small business has fewer than 100 employees.
[2] A social enterprise is defined as a revenue-generating business, operated either by a non-profit organization or a for-profit company, that has two-goals: to achieve social cultural, community economic and/or environmental outcomes; AND, to earn revenue.
[3] A diverse or Indigenous owned business is where a business is at least 51% owned, managed or controlled by a diverse or Indigenous person.

Supply Chain Transparency:

c) What policies or practices has your organization taken into consideration regarding social, environmental, and ethical factors. Items such as, but not limited to: • Human rights • Animal rights • Employee conditions and wellbeing • Local and community impact • Fair Trade If the proponent is working on other initiatives, please describe. Answers should consider how they meet or exceed Ontario laws.	(1 point)
d) What current and upcoming goals and/or policies does the proponent have for the following initiatives: • Reducing carbon footprint • Better waste management • Encouraging 'cleaner' technologies • Reducing environmental health impacts If the proponent is working on other initiatives, please describe. Answers should consider how they meet or exceed Ontario laws.	(1 point)

Other Commitments:

e) How are you actively working to accomplish Calls to Action #92 of the Truth and Reconciliation Commission of Canada? Please provide details.	(1 point)
f) Under the Accessibility for Ontarians with Disabilities Act, 2005 (as per Ontario Regulation 191/11), Queen's will incorporate accessibility criteria and features when procuring goods, services, and facilities, except where it is not practical to do so. Proponents are asked to explain how their business is committed to accessible customer service and how it plans to promote accessibility through the goods/services/construction they're providing. Additionally, proponents are asked to show proof of formal training with regards to accessible customer service. Queen's training is available to proponents at no cost. To access, please click here. If accessing Queen's training, navigate to the sign in section. When signing in, proponent should select the Email Address option. Questions regarding this training program, can be directed to the Queen's Human Rights and Equity Office (email: equity@queensu.ca or phone (613) 533-2563).	(1 point)

Appendix E – Submission Instructions

Please follow these instructions to submit via the Bonfire Public Portal.

1. **Prepare submission materials:**

Requested Information:

Name	Type	# Files	Requirement
Appendix B - Submission Form	File Type: PDF (.pdf)	1	Required
Appendix C1 - Price Proposal Form	File Type: PDF (.pdf)	1	Required
Appendix F - Projects of Similar Size and Scope	File Type: PDF (.pdf)	1	Required
Appendix H - Subcontractors	File Type: PDF (.pdf)	1	Required
Agreement to Bond - 50/50 Performance and Labour	File Type: PDF (.pdf)	1	Required
Proposal for Rated Evaluation Criteria	File Type: PDF (.pdf)	1	Required
Social and Sustainable Procurement Criteria	File Type: PDF (.pdf)	Multiple	Required
Additional Info - Optional	File Type: PDF (.pdf)	Multiple	Optional

Requested Documents:
Please note the type and number of files allowed. The maximum upload file size is 1000 MB.

Please do not embed any documents within the uploaded files, as they will not be accessible or evaluated.

2. **Upload the submission at:**

https://queensu.bonfirehub.ca/opportunities/78184

The submission must be uploaded, submitted, and finalized prior to the Submission Deadline set out in the RFP Timetable. It is strongly recommended that Proponents give themselves sufficient time and **at least one day** before Submission Deadline to begin the uploading process and to finalize the submission.

Important Notes:

Each item of Requested Information will only be visible after the Submission Deadline.

Uploading large documents may take significant time, depending on the size of the file(s) and the internet connection speed.

An email confirmation receipt with a unique confirmation number will be provided to the submitter once the submission is finalized in Bonfire.

Minimum system requirements: Microsoft Edge, Google Chrome, or Mozilla Firefox. Javascript must be enabled. Browser cookies must be enabled.

Need Help?

Queen's University uses a Bonfire portal for accepting and evaluating proposals digitally. Please contact Bonfire at Support@GoBonfire.com for technical questions related to submissions. Information is also available at Bonfire's help forum at: https://vendorsupport.gobonfire.com/hc/en-us.

Appendix F – Projects of Similar Size and Scope

Each proponent is requested to provide three references from clients who have obtained goods or services from the proponent in the last 5 years similar to those requested in this RFP.

Submitted by (Company Name): _____

For: (Name of Foreman/Lead Tradesperson if applicable): _____

Reference #1

Company Name:	
Company Address:	
Contact Name:	
Contact Telephone Number:	
Project Start and Finish Date:	
Construction value:	
Project description: (refer to rated criteria scoring for required project information) **Insert space as required for response**	

Reference #2

Company Name:	
Company Address:	
Contact Name:	
Contact Telephone Number:	
Project Start and Finish Date:	
Construction value:	
Project description: (refer to rated criteria scoring for required project information) **Insert space as required for response**	

Reference #3

Company Name:	
Company Address:	
Contact Name:	
Contact Telephone Number:	
Project Start and Finish Date:	
Construction value:	
Project description: (refer to rated criteria scoring for required project information) **Insert space as required for response**	

Appendix G – Intent to Respond to RFP Form

Please complete and email the form to the "Queen's Contact" noted below by the deadline set out in the RFP Timetable.

TO:	
Queen's Contact:	**Patrick Fisher** Queen's University Strategic Procurement Services 355 King St W., Kingston, ON K7L 3N6
Email:	**patrick.fisher@queensu.ca**

FROM:	
Name:	
Company:	
Phone:	
Email:	

Re:	**Request for Proposal (RFP)**	**Q-2024-003-EL Joseph S. Stauffer Library Main Floor Renovation**

Please indicate the intention to respond to this RFP by clicking the box below and signing this form.

☐	**We intend to respond to this RFP.**

Signature

Date

Name

Title

APPENDIX H – Team and SUB-CONTRACTORS

Submitted by (Company Name): _____

List all companies (and sub-trades) that will be participating. Identify own forces as required.

Add additional lines if necessary

Sub-Trade	Company Name
Demolition	
Framing / Dry Wall	
Architectural Woodwork	
Painting	
Flooring	
HVAC	
Plumbing	
Fire protection	
Electrical	
IT/Telecom	