

Request for Qualifications (RFQ) #HM-R6-RFQ1
2018/2019 Highway Maintenance Agreements Prequalification

RESPONSES TO RESPONDENT QUESTIONS SUMMARY #1

Please note: The following information is provided in response to requests for clarification received from one or more Respondents. In some cases, questions have been consolidated or edited for clarity or brevity.

The following questions & answers:

- 1) are intended to be informal;
- 2) are NOT binding on the Province; and
- 3) do NOT constitute an Addendum to the RFQ.

NOMINATED WORK EXAMPLES	
Question 1.01:	When providing Nominated Work Examples, is it permitted for the Respondent Team to use Nominated Work Examples specific to Key Individuals on the Respondent Team?
Answer 1.01:	Yes, a Nominated Work Example may be specific to a Respondent, as well as its Key Firms and Key Individuals.
Question 1.02:	In Appendix A, Section 3.3 (page 7 of 11) Project Management Experience, you have requested that the Nominated Work Examples information we are to provide you exceed \$1 Million dollars in value. Being in the road and bridge industry for many years, we haven't entered into the capital or rehab projects fields and our emergency works values have not met or exceeded \$1 million in any one year. What happens where there hasn't been a project or emergency works of that value or greater completed by the company over that period of time? What exactly does qualify for what you're looking for in the Nominated Work Examples under "highway maintenance services"?
Answer 1.02:	A Respondent that cannot provide a Nominated Work Example exceeding \$1 million within the last 10 years will not be eligible to receive points in section 3.3 of Appendix A. Providing a Nominated Work Example that demonstrates "highway maintenance services" may include, for example, experience as a prime contractor for a previous or current Highway Maintenance Agreement in BC, or similar contract in another jurisdiction, provided such contract exceeds \$1 million in value and occurred within the last 10 years.
KEY INDIVIDUALS	
Question 1.03:	The Form of Proponent Agreement (Appendix D of the RFQ) notes that all Key Individuals are also required to sign the Form of Proponent Agreement. This is the first time that we have seen individuals being required to sign the Agreement, rather than the company. Is this correct? And can you please explain the reasoning behind this process?
Answer 1.03:	Yes, the Form of Proponent Agreement must be executed by the Respondent and each of the Respondent Team Members, including, but not limited to, each Key Firm and Key Individual. The Proponent Agreement contains covenants, obligations and certifications by the Proponent, on behalf of Key Firms and Key Individuals, and for contractual certainty, we require these covenants, obligations and certifications to come directly from such Key Firms and Key Individuals.

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Question 1.04:	The definition of Key Individuals includes anyone that holds a Key Position as described in the RFQ. For contractors with more than one Service Area this includes a large number of people and several in each position. The majority of these people will not have anything to do with a new Service Area or a single Service Area. These positions include all position below (i) corporate compliance manager. The positions above this level are the over-arching management team applicable to any and all Service Areas. We fully understand that the remaining positions are important to a specific Service Area bid but wonder why it is necessary to provide the qualifications and resumes of individuals that will only be involved in a specific Service Area. Why would these not be required in the RFP?
Answer 1.04:	The Key Positions list is intended to provide the Ministry with an overall sense of the Respondent's organizational structure, operational depth, and capacity to handle one or more Service Areas. Information about Key Individuals specific to a Service Area may also be requested in the RFP phase.
PROCUREMENT PROCESS	
Question 1.05:	Regarding BC Bid, can the Proposal or Qualification Response (RFP and RFQ) be submitted with a Proponent name (Respondent) that differs from the Proponent's (Respondent's) eBidding account name on BC Bid?
Answer 1.05:	No, the name registered on BC Bid must be the same as the registered legal entity of the Respondent or, in the case of an RFP, Proponent.
Question 1.06:	Will the recently released RFQ for Service Areas 2, 3 and 24 be re-released at another future time for submittal?
Answer 1.06:	No, 2018/2019 Highway Maintenance Agreements for Service Areas 2, 3 and 24 – Request for Qualifications (HM-R6-RFQ1) is the only opportunity to qualify for the Initial Service Areas (Service Areas 2, 3 and 24). There will be more Requests for Qualifications to qualify for the Remaining Service Areas. Respondents that qualify in HM-R6-RFQ1 will also qualify for the Remaining Service Areas.
Question 1.07:	Due to the timeline for the RFQ and the amount of information needed to obtain, would an extension be considered by the Ministry?
Answer 1.07:	No, the RFQ Submission Time is set to maximize mobilization time for the Preferred Proponent after the RFP phase that follows the RFQ.
Question 1.08:	What is the anticipated release date for the Service Area 27 RFQ and the submission deadline date?
Answer 1.08:	The release dates and submission deadlines for any particular RFQ or RFP have not yet been released.
Question 1.09:	Is the pre-qualification deadline for Service Area 27 October 16, 2017 (same as 2, 3 and 24)?
Answer 1.09:	No, there will be another opportunity to qualify for Service Area 27. However, Respondents that qualify for Service Areas 2, 3 and 24 will also automatically qualify for Service Area 27.
Question 1.10:	For Service Area 26, the Province Website directs us to the RFQ posted for Service Areas 2,3 and 24, as follows: "Pre-qualify to bid on 26 service areas by submitting a qualification response on BC Bid to RFQ# HM-R6-RFQ1." For the other areas not listed in the titling of this RFQ, is the pre-qualification deadline October 16 for all the Service Areas or just 2,3 and 24?
Answer 1.10:	The statement on the Province Website invites submission of a Qualification Response to the RFQ for 26 of 28 Service Areas, not Service Area 26 specifically. Qualified Respondents will qualify for the Initial Service Areas and the Remaining Service Areas, which includes all but Service Areas 11 and 20, as outlined in the RFQ. Thus, Respondents that qualify in their response to HM-R6-RFQ1 will automatically be eligible to bid on the RFP for Service Area 26, as well as the other Remaining Service Areas.

- END OF SUMMARY #1 -



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RESPONSES TO RESPONDENT QUESTIONS SUMMARY #2

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The following questions & answers:

- 1) are intended to be informal;
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NOMINATED WORK EXAMPLES	
Question 2.01:	In Appendix A (Qualification Response Guidelines) , section 3.2 (1), page 7 of 11, what level of detail is required to be provided in this response? Is the intent to provide an example of the Respondent's financial stability, or would you be looking for examples of project level, operational details, similar to the information asked for in section 3.3? And can you better describe what you mean by cost fluctuations?
Answer 2.01:	The intention of a Nominated Work Example is to elicit details as to the strength and relevance of a Respondent Team's experience and capabilities to perform the Services, including over periods of cost fluctuations. Cost fluctuation refers to costs that change from one season or period to another.
Question 2.02:	Can the Nominated Work Examples requested in many of the sections be different, or is it expected to provide one sample of Nominated Work Examples? For example, Section 3.2 and 3.3 of Appendix A (Qualification Response Guidelines) both ask for Nominated Work Examples; however, the submission would include different projects to answer these sections.
Answer 2.02:	The same or different Nominated Work Examples may be provided in response to any section in Appendix A (Qualification Response Guidelines).
PROCUREMENT PROCESS	
Question 2.03:	Regarding Appendix A, Table 3, section 1.1 (b), can the Ministry please define "Shareholders"? Ideally, the definition as shown within section 3.1 (b) "shareholders holding in excess of 20% of the organization's shares" would be used as the overall definition.
Answer 2.03:	The term "shareholder" is intended to capture the holder of any equity interest in any organization (e.g. shares of a corporation). The text "shareholders holding in excess of 20% of the organization's shares" in Section 3.1(b) in Table 3 of Appendix A is not a definition, but instead is a qualifier (i.e. "in excess of 20%") that narrows the scope of the information being requested. The information in Section 1.1(b) and the information in Section 3.1(b) is being requested for different purposes, hence the differing thresholds.
Question 2.04:	On page 2 of Appendix A (Qualification Response Guidelines) it states that "Qualification responses must: (i) Be no longer than 110 pages in length, including title page, table of contents, and any graphics of diagrams, but not including dividers and resumes;" is the 110 pages inclusive of the entire submission package, which includes anything to be submitted for Appendix A, B and C or does the 110 pages not include responses to Appendix A, B and C?
Answer 2.04:	The maximum of 110 pages includes, but is not limited to, submission requirements for Appendix A (Qualification Response Guidelines), Appendix B (Certificate and Declaration Form) and Appendix C (Relationship Disclosure Form), as laid out in Table 1 of Appendix A.

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<p>Question 2.05:</p> <p>Answer 2.05:</p>	<p>Is the Ministry asking that all Key Individuals also be listed on Appendix B (Certificate and Declaration Form)?</p> <p>The legal name(s) of the all Key Individuals must be listed on Exhibit 1 to Appendix B. However, an Authorized Signatory for the Respondent completes and signs Appendix B (Certificate and Declaration Form) on behalf of the Respondent and the other Respondent Team Members.</p>
<p>Question 2.06:</p> <p>Answer 2.06:</p>	<p>For Appendix D (Form of Proponent Agreement), is the expectation that all the pages of the document are electronically submitted?</p> <p>Yes, as outlined in 3.1 of the RFQ, "In order to remain on the Qualified Respondents List, such Respondents must deliver the fully and duly executed Proponent Agreement to the Contact Person, by email, at the Victoria Project Office, within 14 Working Days of the date of delivery of such email notification."</p>
<p>Question 2.07:</p> <p>Answer 2.07:</p>	<p>In the 2018/2019 Highway Maintenance Agreements for Service Areas 2, 3 and 24 – Request for Qualification Section 2.3 (e) (ii) at the bottom of Page 9 and carried over to page 10 it states that "Only the Initial Service Areas (referenced in 2.3 (e) (i)) are included in in this RFQ. The Remaining Service Areas (identified in 2.3 (e) (ii)) are excluded from this RFQ as one or more separate request for qualifications will be issued in respect of the Remaining Service Areas."</p> <p>It was stated during the information session held on Monday September 11, 2017 that a Respondent would only have to submit one RFQ and if qualified, then that Respondent would thereafter be eligible to participate in the RFP phase for all Service Areas. Does this no longer apply? In other words if a Respondent submits and qualifies during this RFQ (referenced above), is that Respondent only eligible to participate in the RFP process for the "Initial Service Areas" or are they also eligible to participate for all of the Remaining Service Areas?</p> <p>If a Respondent submits a Qualification Response and qualifies in response to RFQ HM-R6-RFQ1 (i.e. the RFQ that was posted on the BC Bid Website on September 15, 2017), they will automatically be eligible to bid on any RFP for the Initial Service Areas, as well as on any RFP for the Remaining Service Areas.</p>
<p>Question 2.08:</p> <p>Answer 2.08:</p>	<p>Can you please clarify Section 6.9 Change Process in the RFQ and how it relates to responding to the RFQ?</p> <p>Based on a previous question, the RFQ must be submitted using the electronic bidding number of the Respondent. Please clarify how you would like a Respondent to respond to the RFQ when the Respondent will wish to operate Service Areas as separate operating companies (under a shared holding company) as currently is the practice in BC?</p> <p>Is it acceptable that a Respondent responds and gets qualified as a corporate entity, rather than a Service Area entity, and then subsequently nominates a Service Area operating company? Will the corporate RFQ qualification be acceptable to the Ministry?</p> <p>The BC Bid e-Bidding Key must match both the RFQ and subsequent RFP submissions. In the event of any Change to a Respondent or Respondent Team, the Change Process described in the RFQ (and in the applicable RFP) must be complied with. If, after complying with such Change Process, the Province provides its prior express written consent to the Change, the Respondent may be permitted to use a different e-Bidding Key that matches the legal name of the new entity approved by the Province.</p>
<p>Question 2.09:</p> <p>Answer 2.09:</p>	<p>In relation to this RFQ process, could the Ministry please clarify how far and how in-depth relationships must be disclosed from day-to-day working relationships with personnel from the Ministry of Transportation and Infrastructure and other public service staff that are dealt with in the course of regular business as a highway and bridge maintenance contractor in the Province of BC, especially if it is certain there is no conflict with our proposed RFQ submission?</p> <p>As stated in the RFQ, the Relationship Disclosure Form is to disclose relationships for the Respondent and each of the Respondent Team Members. Refer to the definitions of Respondent, Respondent Team and Respondent Team Member to aid in determining the necessary relationships to disclose in accordance with Appendix C of the RFQ (Relationship Disclosure Form).</p>

- END OF SUMMARY #2 -



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RESPONSES TO RESPONDENT QUESTIONS SUMMARY #3

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PROCUREMENT PROCESS	
Question 3.01:	It has been noted that Appendix D (Form of Proponent Agreement) is to be submitted, but was not provided in a word document with the package posted on BC Bid. Could the Ministry kindly provide a Microsoft Word document template for this form?
Answer 3.01:	The Form of Proponent Agreement (Appendix D) is not required to be submitted with the RFQ response.
Question 3.02:	Is Appendix D required to be submitted with the RFQ response?
Answer 3.02:	No, the Form of Proponent Agreement (Appendix D) is not required to be submitted with the RFQ response.

- END OF SUMMARY #3 -