




Paving Contractor Prequalification

User Guide



This document is to assist Municipalities with creating their own paving contractor prequalification document for their use in tendering. It has been set up to allow for Contractors to prequalify for work that best suits the Contractor's capabilities and allows for their company to grow and take on larger projects as they gain experience.

The intent is to limit the exposure to both the Municipality and the Contractor so that quality work is being done by the right company for the right project. It is not intended to be a document to penalize Contractors. It is expected that this guide be used in an objective and consistent manner across Ontario and be implemented in consultation with industry.

Where noted in **RED**, information is provided as description or example of how to fill out the document for use and the intended use of the section.

Where **square brackets []** are used, information is required to be filled in by the Municipality. Once the information is filled in, the brackets can be deleted and are no longer needed.

Fill out the title page with the correct Municipality information. It is provided as an example and can be replaced with a Municipalities' standard cover page.



[Municipality Name]
[Purchasing Department Name]
[Street Address]
[City, Province]
[Postal Code]

[Municipality Name]
[Project/Tender No.]
[Project/Tender Description]

Closing Date: [Date]
Time: [Time]

Contact: **[Person's Name]**
[Position/Title]
Phone: [Number]
Fax: [Number]
Email: [Address]

Prequalification documents may be submitted by facsimile, electronic mail or in envelopes (*All methods of submission have been noted for ease of submission by the Contractor. The Municipality can decide if these meet their own policies and removed as needed.*) (all envelopes must be clearly marked as to contents), and will be received by **[Department, Municipality, Street Address, City, Province, Postal code]**, up to, but no later than **[Time]**.

[Date]

to be included on the **[Municipality]**'s list of prequalified contractors to complete work for the asphalt rehabilitation on **[Municipality]** roads or under the management of the **[Municipality]** for maintenance purposes as described hereafter for the time period of **[Year]** to **[Year]** (*The time period is as long as the Municipality chooses. Typically, it is a two to three-year period or could be project specific. It should be a length of time that matches the quantity of projects and allows for new Contractors to submit or existing Contractors to move up if they have gained the experience.*)

Inquiries about this prequalification process may be made in writing to **[Name, title/position, Department]** (*Typically the purchasing manager or as designated by the Municipality.*), by fax to **[Number]** or via email at **[Address]**.

[Name]
[Position/title, Department]
[Municipality]
[Street address]
[City, Province, Postal Code]

CLOSING DATE – [Date]

CLOSING TIME – [Time]

INSTRUCTIONS TO CONTRACTORS

1.0 **INVITATION**

1.1 **Intent**

- A** The intent of this Prequalification Call is to obtain a list of prequalified Contractors to complete asphalt rehabilitation work on streets and roads owned or under maintenance control as described hereafter for [Municipality] (the “Owner”), [Street address], [City], [Province] for the time period of [Year] to [Year].

From the submissions received Contractors will be selected based on the information provided as requested in the following documentation. Only those Contractors selected and approved by [Municipality] Council (*Having Council approval legitimizes the prequalification process and ensures the Council members are aware of the procedure to bid on Municipality work.*) will be allowed to bid on the [Municipality]’s asphalt rehabilitation, paving, mill and pave, etc. projects tendered in [Year] to [Year].

1.2 **PREQUALIFICATION CALL**

- A** Completed documents signed and dated by a duly authorized representative of the company submitting the documents will be received by the Owner, at the offices of,

[Municipality]
[Department]
[Building]
[Street address]
[City, province, postal code]

before the time for prequalification closing of [Time] local time as designated by the reception clock on the [Date] (“Prequalification Closing Time”) by facsimile, electronic mail or in envelope (*update as required*).

- B** The Owner may, by addendum, extend the Prequalification Closing Time or any other scheduled dates relating to this Prequalification Call.
- C** Prequalification’s submitted after the Prequalification Closing Time will only be considered for inclusion at the recommendation of the [Title of Department Head or similar that has authority to make this recommendation, e.g. Purchasing Manager, County Engineer].
- D** The [Municipality] reserves the right to add or remove Contractors from the list of prequalified Contractors at their discretion at any time for which the prequalification is valid ([Year] to [Year]).

- E** Prequalification's will be immediately reviewed following the closing time of [Time] local time on the [Date], at [Municipality], [Building], located at [Street address], [City], [Province], [Postal Code]. Proposals will be acknowledged as received at the opening, no pricing is required at this time. There is no public opening for this project. *(This allows time for Municipality staff to review the submissions and make their recommendation to Council.)*
- F** Amendments to a submitted prequalification will be permitted if received by the Owner in writing prior to Prequalification Closing Time and if endorsed by the same party or parties who signed the submitted prequalification documents.
- G** Amendments to prequalification documents, submitted by telephone, will not be considered by the Owner.
- H** A Contractor may withdraw its prequalification documents at any time prior to the Prequalification Closing Time by delivering a written notice of withdrawal to the Owner. The withdrawal will be in effect as of the time said notice is received by the Owner.
- I** Contractors agree to prepare and submit prequalification documents at their own cost. The Owner is not obligated in any way to pay costs of any kind or nature whatsoever that may be incurred by a Contractor or any third parties in the prequalification process relating to this Prequalification Call. All such costs shall be the Contractor's sole responsibility.

2.0 **PREQUALIFICATION DOCUMENTS**

2.1 **Queries and Addenda**

- A** All inquiries from Contractors regarding the Prequalification Documents must be in writing by way of email or facsimile and submitted no later than four (4) business days *(or as per the Municipality's policy)* before the date set for the receipt of prequalification's to [email address] or [fax number].
- B** Addenda may be issued during the prequalification process period. All addenda become part of the Prequalification Documents. All costs associated with including changes due to addenda are the responsibility of the Contractor.
- C** Verbal answers given by the Owner are only binding when confirmed by written addenda.

3.0 QUALIFICATIONS

3.1 Objective

- A** A tiered list of Contractors will be generated from the prequalification process. The highest level (Level I) will be Contractors qualified to complete asphalt rehabilitation work in value in excess of \$500,000. The second level (Level II) will be asphalt rehabilitation work in value from \$100,000 to \$500,000 and the third (Level III) will be asphalt rehabilitation work in value less than \$100,000 (as permitted by the Consulting Engineer and/or [Department head]) *(The value and number of levels should correspond with value and type of projects that the Municipality has to complete. The highest level could represent County roads, arterial roads, busy streets, etc. or work that requires full size highway paving equipment. The second level could represent lower volume roads, side streets, etc. or work that could be completed with smaller paving and compaction equipment. The lowest level could represent parking lots, lanes, dead ends, etc.)*
- B** Level I Contractors will be able to bid on all projects, Level II Contractors will be able to bid on Level II and Level III projects and Level III Contractors will only be allowed to bid on Level III projects. **The [Municipality] reserves the right to complete a project specific prequalification process should it deem it necessary for a particular project.**

3.2 Qualifications

- A** Level I Contractors must show:
- That they have successfully completed the asphalt rehabilitation of 5 projects over the past 5 years in value in excess of \$500,000 *(or the value desired)*.
 - Provide a letter from their bonding company indicating that they can be bonded for both performance and labour and material up to \$2 million *(or bonding requirements as per the Municipality's policy)*. Also provide a letter from their insurance company indicating the maximum amount of liability coverage the firm holds per incident.
 - Supervisory staff (foreman and site superintendents) have a minimum of 5 years of experience in asphalt rehabilitation as a foreman and/or superintendent.
 - Provide a list of the paving equipment to be employed on projects and the qualifications of staff (years of experience) that will be operating the equipment. All Level I Contractors

must have highway grade pavers (*type and size of equipment should be based on the requirements of the work covered by the prequalification document*).

- That their company is capable of completing greater than 50% of the tendered work with their own forces (not subcontracted).
- How your firm manages projects and schedules internally. Provide details of in-house scheduling tools utilized by your firm and details of project management methods employed. Provide as an appendix a sample construction schedule prepared for a project completed in the last 5 years, in value in excess of \$500,000, which demonstrates the typical level of detail. (*Ensures that work will be completed in the time periods required by the Municipality.*)
- Methods of quality control of asphalt (at the production plant and during placement) and steps that will be taken to rectify any quality control issues that may arise. (*Ensures that the Municipality will receive the product requested in the tender.*)
- That they are not in litigation with [Municipality]
- Receive greater than 80% on the Evaluation Criteria (*score can be adjusted by the Municipality as required*)
- (*Any of the criteria can be added to, additional criteria added, criteria deleted as necessary by the Municipality to ensure that they are getting what they want through the tendering process.*)

B Level II Contractors must show:

- That they have successfully completed the asphalt rehabilitation of 3 projects over the past 3 years in value between \$100,000 and \$500,000 (*or the value desired*).
- Provide a letter from their bonding company indicating that they can be bonded for both performance and labour and material up to \$1 million (*or bonding requirements as per the Municipality's policy*). Also provide a letter from their insurance company indicating the maximum amount of liability coverage the firm holds per incident.
- Supervisory staff (foreman and site superintendents) have a minimum of 3 years of experience in asphalt rehabilitation as a foreman and/or superintendent.

- Provide a list of the paving equipment to be employed on projects and the qualifications of staff (years of experience) that will be operating the equipment. All Level II Contractors must have self propelled pavers. Municipalities have the right to indicate in their contract which size of paver will be required to complete the required work (*type and size of equipment should be based on the requirements of the work covered by the prequalification document*).
- That their company is capable of completing greater than 50% of the tendered work with their own forces (not subcontracted).
- How your firm manages projects and schedules internally. Provide details of in-house scheduling tools utilized by your firm and details of project management methods employed. Provide as an appendix a sample construction schedule prepared for a project completed in the last 3 years, in value between \$100,000 and \$500,000, that demonstrates the typical level of detail. (*Ensures that work will be completed in the time periods required by the Municipality.*)
- Methods of quality control of asphalt (at the production plant and during placement) and steps that will be taken to rectify any quality control issues that may arise. (*Ensures that the Municipality will receive the product requested in the tender.*)
- That they are not in litigation with [Municipality]
- Receive greater than 65% on the Evaluation Criteria (*score can be adjusted by the Municipality as required*)
- (*Any of the criteria can be added to, additional criteria added, criteria deleted as necessary by the Municipality to ensure that they are getting what they want through the tendering process.*)

C

Level III Contractors must show:

- That they have successfully completed the asphalt rehabilitation of 3 projects over the past 3 years in value exceeding \$25,000
- Provide a letter from their insurance company indicating the maximum amount of liability coverage the firm holds per incident (*or bonding requirements as per the Municipality's policy*).

- Supervisory staff (foreman and site superintendents) have a minimum of 3 years of experience in asphalt rehabilitation as a foreman and/or superintendent.
- Provide a list of the paving equipment to be employed on projects and the qualifications of staff (years of experience) that will be operating the equipment.
- That their company is capable of completing greater than 50% of the tendered work with their own forces (not subcontracted).
- Methods of quality control of asphalt (at the production plant and during placement) and steps that will be taken to rectify any quality control issues that may arise. *(Ensures that the Municipality will receive the product requested in the tender.)*
- That they are not in litigation with [Municipality]
- Receive greater than 50% on the Evaluation Criteria *(score can be adjusted by the Municipality as required)*
- *(Any of the criteria can be added to, additional criteria added, criteria deleted as necessary by the Municipality to ensure that they are getting what they want through the tendering process.)*

4.0 PREQUALIFICATION SUBMISSION

4.1 Submissions

- A** Contractors shall be solely responsible for the delivery of their prequalifications in the manner and time prescribed.
- B** Contractors shall submit [Number] copies of the Prequalification Documents as well as all supporting documentation (as described herein), signed and dated in either an opaque envelope, electronic mail or facsimile which clearly identifies the Contractor's name, Project name and is addressed as follows:

CONFIDENTIAL PREQUALIFICATION

[Project/Tender No.]

[Project/Tender Description]

[Municipality]

[Department]

[Building]

[Street address]

[City, province, postal code]

Submissions must be received on or before the prequalification closing time of [Time] local time on [Date].

4.2 Required Documentation

A Submissions must include the following documentation:

- 1) A letter from the Company completing the submission indicating the Level they are wishing to be prequalified for.
- 2) A completed and signed copy of the Statutory Form of Declaration.
- 3) A completed CCDC 11 form with the required number of previous projects included in Appendix A and Appendix B.
- 4) Resumes of supervisory personnel to be assigned for the various projects including their experience.
- 5) A list of the paving equipment to be employed on projects and the qualifications of staff (years of experience) that will be operating the equipment.
- 6) A letter from a Bonding company stating your firm's capacity to obtain bonds for the values as described above and/or a letter from the firm's insurance company indicating the maximum liability coverage held per incident.
- 7) A Certificate of Clearance from WSIB.
- 8) A current CAD-7 Calculations Safety Record from WSIB.
- 9) A letter signed by a representative of the company's health and safety committee stating that the company has an active Health and Safety Policy and it is followed on a daily basis.
- 10) How your firm manages projects and schedules internally. Provide as an appendix a sample construction schedule.
- 11) Methods of quality control of asphalt.

B Each proposal submitted must include a demonstrated understanding of the objectives, scope and particulars of the services required.

Submissions shall include the legal name and form of the firm, including years in business, and any other relevant information about the responding firm, that may assist the [Municipality] in pre-qualifying your firm.

C All submitted prequalification statements and supporting documentation become the property of the Owner and will not be returned.

5.0 PREQUALIFICATION ACCEPTANCE OR REJECTION

5.1 Duration of Acceptance Period

- A** Prequalification's shall remain open to acceptance and shall be irrevocable for a period of ninety (90) days after the Prequalification Closing Time.

5.2 Selection Process

A selection committee comprised of representatives from the **[Municipality]**, their engineers and legal staff will review the submissions for compliance to the requirements. *(The list should reflect the actual participants reviewing the submissions.)*

The decision of the selection committee is final. This also includes which Level (I, II or III) a Company has been approved for to submit bids on future **[Municipality]** projects.

By submitting an application to be considered for prequalification, Contractors irrevocably acknowledge and agree that:

1. This process is not a tender or a request for proposals, but is merely an application for consideration to be prequalified for bidding on future asphalt rehabilitation projects for the **[Municipality]**;
2. The **[Municipality]** owes no duty or obligation to any Contractor, in law or otherwise, in relation to this process;
3. Selection of prequalified Contractors will be made at the **[Municipality]**'s sole and absolute discretion;
4. The **[Municipality]** has no liability to any Contractor arising out of the submission or consideration of an application, the evaluation process, the selection of prequalified Contractors, the refusal to prequalify any Contractor, or any other matter arising out of this application process;
5. Subject to any application legislation the **[Municipality]**'s decision with respect to the prequalification of any Contractor will be final and no explanation of the process, or reasons for its decision, will be provided by the **[Municipality]** to any applicant;
6. Failure to provide any of the items in the Evaluation Criteria Table **[will/may]** result in immediate failure and removal from consideration.

Evaluation Criteria Table:

Criteria	Weight (%)
A letter indicating the Level the Company wishes to be prequalified for	1
A completed and signed copy of the Statutory Form of Declaration	1
A completed CCDC 11 form with the required number of previous projects included in Appendix A and Appendix B	30
Resumes of supervisory personnel to be assigned for the various projects including their experience	15
A list of the paving equipment to be employed on projects and the qualifications of staff (years of experience) that will be operating the equipment	10
A letter from a Bonding company stating your firm's capacity to obtain bonds for the values as described and/or a letter from the firm's insurance company indicating the maximum liability coverage held per incident.	1
A Certificate of Clearance from WSIB	1
A current CAD-7 Calculations Safety Record from WSIB	1
A letter signed by a representative of the company's health and safety committee stating that the company has an active Health and Safety Policy and it is followed on a daily basis	10
How your firm manages projects and schedules internally	15
Methods of quality control of asphalt	15

(The weight of the above criteria can be adjusted to meet the requirements that the Municipality has. It should be remembered that the criteria weighting is based on ensuring quality work is completed that both the Contractor and Municipality will be happy with.)

Any complaint, claim or dispute that an applicant may have with the **[Municipality]** in respect of this process or its outcome is expressly waived.

6.0 TERM OF CONTRACT

6.1 Term of Contract

The firms selected as part of this prequalification process will be allowed to bid on the [Municipality]'s asphalt rehabilitation contracts for the period of [Year] to [Year].

7.0 ANTICIPATED PROJECTS

7.1 Anticipated Projects

The following projects are anticipated for the [Year] to [Year] construction period. Included in the projects listed is the estimated value for the works and the work required for the project. The [Municipality] reserves the right to expand or delete these projects for any reason whatsoever. All projects are subject to budget approval by [Municipality] Council.

(It is not necessary to populate or include the anticipated projects. It will assist the Contractors in determining the Level they may wish to submit their prequalification for.)

Project	Anticipated Year Of Construction	Estimated Value Of Construction

STATUTORY FORM OF DECLARATION

Prequalification: [Project/Tender Description]

Project No.: [Project/Tender No.]

From (Contractor): _____

company name

street address or postal box number

city/town, province, and postal code

To (Owner): [MUNICIPALITY]

Attention: [Name, Position/Title]

[Department]

[Street address]

[City, province]

[Postal code]

We, the undersigned, declare that:

a) The party executing this document authorized to sign the same.

b) The matters set forth in this proposal are correct.

c) This proposal is open to acceptance by the Owner for a period of ninety (90) days from the date of Prequalification closing.

d) No member of the Owner's Council and no other officer or employee of the Owner is, will be, or has become interested, directly or indirectly, as a contracting party, partner, stock holder, surety or otherwise in, or in the performance of the Contract, or in the supply, work, or business to which it relates, or in any portion of the profits thereof, or any of the money to be derived there from.

Signatures:

Signed and submitted by:

company name

signature of authorized signing officer

name and title of authorized signing officer

name of witness

signature of witness

Dated this _____ day of _____, 20 _____.

*(The statutory form of declaration can be substituted for an existing
Municipality form.)*