



Corporate Services Department

Materials Management

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**REQUEST FOR QUALIFICATION  
NUMBER 924536**

ISSUE DATE: 16 May, 2014

**THIS IS NOT AN ORDER**

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## CLARIFICATION ISSUANCE #5

### REQUEST FOR QUALIFICATION

### VALLEY LINE LRT - STAGE 1

This document contains 3 sections:

- 1) Queries and Responses;
- 2) Addenda Listing; and
- 3) Notifications.

## Section A –Queries and Responses

Past Clarification Issuance #	Queries & Responses Issued	Issued
1	Queries #1 to #2	30 April, 2014
2	Query #3	06 May, 2014
3	Queries #4 to #7	07 May, 2014
4	Query #8	15 May, 2014

### Query # 9:

Section B8 Financial and Organizational Capacity requires that all Team Member submit parent company guarantees, audited annual financial statements, current credit rating reports, bank or other financial institutions letters of reference, etc. With the current definition of Team Member, this section requires any named smaller specialized contractors or consultants to submit this type of information. These smaller contractors would typically not have this information readily available and are normally not required to provide this information in these types of projects. Smaller subcontractors and consultants are ‘wrapped’ by the lead Team Members so any risk associated with their financial and organization capacity is undertaken by the lead Team Members. The financial and organizational capacity of the Respondent to undertake the Project is ultimately validated by the financial and organizational capacity of these lead Team Members as opposed to the smaller Team Members that are consultants or contractors.

We wish to present to the City the full extent of the team that we have assembled but at the same time wish to limit the submission burden on our smaller partners. We kindly suggest that the financial and organizational capacity section be limited to Team Members where their financial and organizational capacity has a direct impact on the capacity of the Respondent to undertake the Project, such as the equity member, design-build joint venture members, operations and maintenance contractor, and not the smaller Team Members that are consultants or contractors who won’t impact the Respondent’s overall financial or organizational capacity.

### Response # 9:

Respondents are asked to consider Addendum #2, item 2.3 for additional clarity with regards to the submission requirements of Appendix B, Section B 8 as it may apply to subcontractors and subconsultants that have been designated Team Members by the Respondent.

Please also note that not all members of the Respondents team may necessarily be Team Members as per the definition in Appendix A of the RFQ, and this determination, is at the discretion of the Respondent in meeting the definition.

Also for clarity, please note the following extract of Appendix B, Section B 8 of the RFQ with emphasis added to provide further clarity with regard to Parent Company Guarantees and the resulting requirements for Parent Company information:

*“To facilitate further evidence of these matters, the Respondent shall include (where applicable) for each Team Member, or **where** a Team Member is a subsidiary to a Parent Company **that has provided a Parent Company Guarantee** for the Team Member explicitly for the purposes of the Project, **then for that Parent Company:***

- *the Parent Company Guarantee Letter explicitly stating the Parent Company Guarantee in relation to the Project and the Team Member included in the Respondent to the reasonable satisfaction of the City;*
- *copies of the audited annual financial statements ...”*

As such, only in the event that a Team Member submits a Parent Company Guarantee Letter is the Parent Company information demanded, along with the information of the subsidiary (Team Member). In the absence of such a Parent Company Guarantee Letter, the evaluation of financial capacity will be based on the Team Member (subsidiary) financial information.

Query # 10:

Please note that currently we do not see any instructions as to where we should include our Appendix F - Conflict of Interest and Common Ownership Declaration Form in our response to the RFQ. Please advise how you would like us to proceed.

Response # 10:

Respondents are asked to consider Addendum #2, item 2.2 for additional clarity with regard to the declaration forms desired position in the Submission package.

Respondents should also note that such declarations can be made at any time via email to the Contact Person, with the forms so attached, for the purposes of gaining any advanced ruling on matters of conflict of interest, common ownership or unfair process advantage.

Early submission of such issues to the Contact Person is encouraged.

**end**

## Section B – Addenda Listing

Past Addenda Issuance #	Subject Matter	Issued
1	Addressing changes listed 1.1 to 1.3.	07 May, 2014
2	Addressing changes listed 2.1 to 2.3.	16 May, 2014

end

## Section C – Notifications

Past Clarification Issuance #	Notifications Issued	Issued
1	Notification #1: Further Details on the Information Session.	30 April, 2014
2	n/a	n/a
3	n/a	n/a
4	Notification #2: Release of RFQ Information Session Official Meeting Record	15 May, 2014

end