

Marathon Active Living Centre

Prequalification Proposal for General Contractors

PRIME DESIGN CONSULTANT

Critchley Hill Architecture Inc.

SUBMISSION CLOSING

DATE: Tuesday, December 17, 2024

TIME: 1:00:00 PM EST

LOCATION: MERX

ATTENTION: Carlo Odorico
Critchley Hill Architecture Inc

LATE SUBMISSIONS WILL NOT BE ACCEPTED.

TABLE OF CONTENTS

1.1	Objectives of this Prequalification Proposal	3
1.2	Project Description	3
1.3	Contract.....	4
1.4	Definitions.....	4
1.5	Statement of Qualifications Preparation and Submission Requirements	5
1.6	Prequalifications Proposal Timetable	6
1.7	Confidentiality	6
1.8	Conflict of Interest.....	6
1.9	Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).....	7
1.10	Proponent's Expenses.....	7
1.11	No Contract.....	7
1.12	No Claims.....	7
1.13	Intention to Submit a Response	7
1.14	Statement of Qualification Communications & Project Manager.....	7
1.15	Right to Amendments or Withdrawal of Statement of Qualifications by Proponent	8
2.1	Owner's Rights	9
2.2	Disqualification of Statement of Qualifications on Grounds of Faulty Submission	10
2.3	Costs Incurred By Proponents	11
2.4	No Obligation to Purchase	11
2.5	Entire PREQUALIFICATION PROPOSAL	11
2.6	Ownership.....	11
3.1	Objectives	12
3.2	Evaluation Team.....	12
3.3	Evaluation	12
3.4	Evaluation & Selection Criteria.....	12
3.4.1	Stage 1: Review of Mandatory Requirements	12
3.4.2	Stage 2: Review of Rated Requirements	12
4.1	Bonding.....	14
4.2	Insurance.....	14
4.3	Financial Information.....	14
4.4	Completed and Sealed CCDC 11	15
4.5	WSIB and Health and Safety Policy.....	15
4.6	Declaration.....	15
5.1	General Information Regarding Proponent	16
5.2	Project Personnel.....	16
5.3	Team Structure and Processes	17
5.4	Experience with Similar Projects.....	17
5.5	Understanding of the Project.....	17
5.6	Scheduling	18
5.7	Quality Management	18
5.8	Working in Northern Ontario.....	19
5.9	Working with First Nations Partners	19
	APPENDIX A – SUBMISSION LABEL	20
	APPENDIX B – SIMILAR PROJECT INFORMATION FORM	21
	APPENDIX C – PROJECT PERSONNEL FORM	22
	APPENDIX D – DECLARATION	23
	APPENDIX E -- CONCEPT PLANS AND RENDERINGS	25

SECTION 1.0 OVERVIEW AND PROCEDURES

1.1 Objectives of this Prequalification Proposal

The Town of Marathon intends to pre-qualify Contractors interested in acting as a General Contractor for the construction of the Marathon Active Living Centre located in Marathon, Ontario. **Only firms that have been pre-qualified will be invited to submit a bid.**

Each Contractor responding to this request for prequalification must be able to demonstrate that they have successfully completed similar projects.

All information submitted may be verified by the Town of Marathon and their representatives. In the event it is determined that any of the information submitted is inaccurate or misleading, the responsible firm may be disqualified from the pre-qualification process and subsequently will not be pre-qualified.

The Town of Marathon reserves the right to accept or reject any or all submissions without explanation.

1.2 Project Description

The Marathon Active Living Centre (ALC) is perhaps the most impactful project on the Canadian shoreline of the largest freshwater lake of the world, Lake Superior.

The project deeply portrays the fundamentals of Canadian and indigenous values at a local, provincial, and nation wide level and will demonstrate how Canada and First Nations can celebrate together the majesty of the natural world, the joy of recreation, and programs that bring people together through healthy social activities for all ages.

Further to this, the building is located on a brownfield site adjacent to Lake Superior. The community of Marathon, through its council, made a decision to act as stewards of the landscape and remediate the damage left behind by the forestry industry. The leadership of the community of Marathon deeply believes in sustainability for the health of its seniors, families, and children.

The ALC is a gateway building. Situated along the escarpment at the western edge of the town, the building provides a vertical connection to the waterfront through internal stairs and exterior pathways. The ALC is key to establishing and strengthening a connection from the core of the town of Marathon to Lake Superior.

The interior program of the building includes an arena with viewing for all ice sports, a leisure pool to introduce water to all beginners of all ages, a lap pool for fitness/skill training/competition, a small gymnasium for multi-use programs, a small community theatre for movies/lectures/presentations, a bowling alley for leagues, families, and special events, and a Senior's Activity Room for leisure activities and healthy socialization. Artwork and museum displays are displayed along the circulation hallways of the building including iconic works of the Group of Seven who painted scenes of Lake Superior that today are recognized throughout the world. The Multi-Use programming of the entire building successfully brings all people of all ages together under one roof with many interior glazed views of the different programs. All spaces are designed to be fully accessible and inclusive. Barrier and gender free design principles meet the highest standards for all visitors and employees.

The architectural shape and exterior materiality of the building takes its cues from the history of industrial buildings that used to exist along the shoreline of Lake Superior. The simplicity of the design and efficiency of the shape of the building confidently represents how modesty can be beautiful and peaceful. Large glazed windows are limited to the most important experiences within the building that look out westward to Lake Superior.

Most importantly, the Marathon ALC has been designed to achieve a Zero Carbon Building certification as defined by the Canadian Green Building Council. This building represents one of the most sustainable

projects in the Canadian landscape and is fully powered, heated, and cooled with clean electricity. The insulating properties of the walls, windows, and roof are high performing and supported by highly efficient mechanical equipment. Building systems and materials are selected to be sourced nearby and detailed to provide opportunities for local skilled labour.

The Marathon Active Living Centre will provide the local community and all of its visitors an unforgettable experience that leads to sustainable health and wellness.

Refer to Appendix E for concept plans and renderings.

It is expected that project will be tendered in mid to late February 2025, with an expected construction start in the late spring/early summer of 2025

Marathon has retained the following consultants:

- Critchley Hill Architecture Inc. (Prime Consultant)
- Perkins and Will
- HAPA Collaborative
- TBTE Engineering Consulting Group

General contractors should be familiar with coordinating multiple sub-trades and have experience in phased construction with a high quality and finish.

1.3 Contract

The Construction Contract will be a CCDC-2 (2020) Stipulated Price Contract and Amendments to CCDC 2.

1.4 Definitions

“Marathon” and “Owner” are synonymous for the purposes of this Prequalification Proposal and mean “The Town of Marathon”.

“Closing Date and Time” means the date and time by which Statement of Qualifications are to be delivered to and received by Critchley Hill Architecture Inc. as stated in the Prequalification Proposal.

“The Contract” is the undertaking by the parties to perform their respective duties, responsibilities and obligations as prescribed in the Contract Documents and represents the entire agreement between the parties.

“The Contractor” is the person or entity identified as such in the Agreement. The term Contractor means the Contractor or the Contractor's authorized representative as designated to the Owner in writing

“Letter of Intent to Submit” is as described in Section 1.13.

“Mandatory Requirements” means the requirements set out in Section 4.0.

“Owner's Representative” means the Owner's authorized agent or representative as designated by the Owner.

“Project”, means the Marathon Active Living Centre Project as described within Section 1.2.

“Proponent” means the entity that submits a Statement of Qualifications in response to and in accordance with this Prequalification Proposal.

“Statement of Qualifications” means a Proponent's submission made in response to this Prequalification Proposal.

"Rated Requirements" are those criteria established within the Prequalification Proposal that are subject to evaluation, as per Section 5.0.

"Prequalification Proposal" means this Request for Qualifications.

"Short-Listed Proponents" means the highest ranked Proponents who will be invited to submit a bid.

"Similar Projects" are as described in Section 4.6 of this Prequalification Proposal.

"Sub-contractors" means all persons or entities with a direct contract with the Proponent to perform a part of the work for the Project.

"Substantial Compliance" means compliance with the material components of the requirement with only minor irregularities as described in Section 2.1.3.

1.5 Statement of Qualifications Preparation and Submission Requirements

This section of the Prequalification Proposal describes the way in which the Proponent is to prepare its Statement of Qualifications. A Statement of Qualifications may be deemed non-compliant if it is not submitted in the requested format or if requested information is not submitted.

1.5.1 Statement of Qualifications Content

The Statement of Qualifications submission should consist of the following four (4) Tabs:

Tab 1: Table of Contents

Outline in sequential order the major areas of the Statement of Qualifications. All pages of the Statement of Qualifications, including any enclosures, are to be clearly and consecutively numbered and correspond to the Table of Contents.

Tab 2: General Information

Provide the name, title, address, telephone number and email address of the person(s) authorized to deal with the Owner and Owner's representative on the Proponent's behalf in connection with the Proponent's response to the Prequalification Proposal.

Tab 3: Mandatory Requirements

Provide any substantiating material requested under Section 4.0 of this Prequalification Proposal.

Tab 4: Rated Requirements

Provide a detailed response to each of the Rated Requirements stipulated in Section 5.0 of this Prequalification Proposal.

1.5.2 Statement of Qualifications Submission

1.5.2.1 Submission Contents

Refer to Sections 4 and 5 of this Prequalification Documents for the required content of the submission. Submissions must be structured as per 1.5.1 above

1.5.2.2 Statement of Qualifications Delivery

Statement of Qualifications must be submitted via the Merx e-submission before the Closing Date and Time:

To submit through Merx e-submission, contractor must register and order this opportunity. Documents must be downloaded from Merx including all addendum.

Please note that large bids or bids with many documents can be a factor in the amount of time it takes to upload and submit your bid. **It is recommended that you allow for at least 4 hours before closing time to upload and submit a tender package.**

The file(s) name of the e-submission shall read "**Marathon ALC GC Prequalification Proposal**". Insert

your "Company Name" in the file name.

Attach all required documents in .pdf format. The total file size of pdf documents may not exceed 100 MB.

Closing time will be taken from the Universal Time Clock (UTC) at <http://www.time.gov/>.

- .1 Submission envelopes or containers that are not properly identified as such may be rejected and returned to the proponent if they are inadvertently opened as regular mail prior to the closing date and time.
- .2 Submissions received after the above time will be returned to the bidder unopened.
- .3 There will be no public proposal opening. The names of proponents who submitted a proposal will be available upon request from the Prequalification Coordinator.
- .4 Proponents shall be solely responsible for the delivery of Submission in the manner and time prescribed.

1.6 Prequalifications Proposal Timetable

The Schedule for the Prequalification Proposal and Contract approval is as follows:

Activity	Date Required
PREQUALIFICATION PROPOSAL Release Date	Thursday November 28, 2024
Deadline for Intention to Submit a Response	4:00:00pm (EST) on Friday, December 6, 2024
Deadline for Receipt of Questions	2:00:00pm (EST) on Tuesday, December 10, 2024
Deadline for Addenda Issuance	2:00:00pm (EST) on Friday December 13, 2024
Closing Date and Time	1:00:00pm (EST) on Tuesday, December 17, 2024
Selection of Short-Listed proponents	December 20, 2024

1.7 Confidentiality

The Vendor hereby covenants and agrees;

- The response submitted by the Proponent prior to the Closing Date specified in this document shall become the property of Marathon and shall not be returned. Marathon agrees to maintain confidentiality regarding technical terms of each proposal as governed by the Freedom of Information and Protection of Privacy Act. The respondent is responsible to identify any information contained in the response that is submitted where confidentiality is requested.
- The *Contractor* agrees to ensure that it shall, both during or following the term of the *Contract*, maintain the confidentiality and security of all *Confidential Information* and *Personal Information*, and that it shall not directly or indirectly disclose, destroy, exploit, or use any *Confidential Information* or *Personal Information*, except where required by law, without first obtaining the written consent of the *Owner*. The *Contractor* may disclose any portion of the *Contract Documents* or any other information provided to the *Contractor* by the *Owner* to any *Subcontractor* or *Supplier* if the *Contractor* discloses only such information as is necessary to fulfill the purposes of the *Contract* and the *Contractor* has included a commensurate confidentiality provision in its contract with the *Subcontractor* or *Supplier*. The *Contractor* undertakes to comply with all applicable laws related to the protection of personal information, including the *Personal Information Protection and Electronic Documents Act*, the *Freedom of Information and Protection of Privacy Act* ("FIPPA") and the *Personal Health Information Protection Act*.

1.8 Conflict of Interest

The submission shall include a list of all projects that the proponent is currently involved in with Marathon. For these projects outline the nature of the work, the names of the clients, and the major stakeholders.

Respondents must declare in their submissions all conflicts of interest or any situation that may be

reasonably perceived as a conflict of interest that exists now or may exist in the future. Marathon reserves the right to disqualify a proponent in the event of a conflict, real or perceived.

1.9 Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

The proponent acknowledges and agrees that Marathon is subject to Municipal Freedom of Information and Protection of Privacy Act ("MFIPPA"). The proponent further expressly acknowledges and agrees that, upon the acceptance of a successful proposal and conclusion of the RFP process (including execution and delivery of a definite agreement between Marathon and the successful proponent), subject to subsection (b) below, the proposal submitted shall not be considered confidential for the purposes of Section 10 of MFIPPA and, in the event of an access request or at the discretion of Marathon, shall be subject to release in its entirety without redaction.

Notwithstanding the foregoing, the proponent acknowledges and agrees that, because Marathon is subject to MFIPPA, all or part of any proposal, including information supplied in confidence, may be subject to release in response to an access request submitted pursuant to MFIPPA. In the event that Marathon receives a request for access to all or part of a proposal supplied in confidence, Marathon shall deliver the relevant notice to the proponents, who shall bear all costs, legal or otherwise, with respect to any objection the proponent may have in respect of the release of any or all parts of the proposal pursuant to MFIPPA.

1.10 Proponent's Expenses

Proponents are solely responsible for their own expenses in preparing and submitting Statement of Qualifications, and for any negotiations or discussions with Marathon or its representatives and consultants, relating to or arising from this Prequalification Proposal.

1.11 No Contract

By submitting a Statement of Qualifications and participating in the process as outlined in this Prequalification Proposal, Proponents expressly agree that no contract of any kind is formed under, or arises from, this Prequalification Proposal, prior to the signing of a formal written contract.

1.12 No Claims

Marathon and its representatives, agents, consultants and advisors will not be liable to any Proponent for any claims, whether for costs, expenses, losses or damages, or loss of anticipated profits, or for any other matter whatsoever, incurred by the Proponent in preparing and submitting a Statement of Qualifications, or participating in negotiations for a contract, or other activity related to or arising out of this Prequalification Proposal.

1.13 Intention to Submit a Response

Proponents are to register by submitting a Letter of Intent to Submit in PDF format by email before the Deadline for Intention to Submit a Response outlined in Section 1.6 Prequalification Proposal Timetable.

Carlo Odorico, Director

Critchley Hill Architecture Inc.

Email: carlo@critchleyhill.ca

Copy: Ian Hill, ianh@critchleyhill.ca, Philip Fenech phil.fenech@perkinswill.com, Daryl

Skworchinski, cao@marathon.ca

All subsequent information regarding this Prequalification Proposal, including changes made to this Prequalification Proposal will be directed by way of email by Carlo Odorico, only to those Respondents who have submitted a Letter of Intent to Submit.

1.14 Statement of Qualification Communications & Project Manager

For the purpose of requesting information and clarification, or for any other purpose relating to this Prequalification Proposal including the Prequalification Proposal process, Proponents are to contact:

Carlo Odorico, Director
Critchley Hill Architecture Inc.
Email: carlo@critchleyhill.ca
Copy: Ian Hill, ianh@critchleyhill.ca, Philip Fenech phil.fenech@perkinswill.com, Daryl Skworchinski, cao@marathon.ca

All communication concerning this Prequalification Proposal is to be submitted via email only identifying the Project Title – “Marathon Active Living Centre Project” in the subject line. The Proponent must specify the Prequalification Proposal Section and page number of the request as applicable.

1.15 Right to Amendments or Withdrawal of Statement of Qualifications by Proponent

1.15.1 Amended Statement of Qualifications by the Proponent

A Proponent that submits a Statement of Qualifications to the Owner may amend its Statement of Qualifications only by submitting the Amended Statement of Qualifications to the Owner by the Closing Date and Time. The Proponent is to submit the Amended Statement of Qualifications clearly labelled “Amended Statement of Qualifications”.

The last Statement of Qualifications received by the Owner, by the Closing Date and Time, shall supersede and invalidate any Statement of Qualifications previously submitted by the Proponent.

1.15.2 Withdrawal of Statement of Qualifications by the Proponent

A Proponent that submits a Statement of Qualifications to the Owner may withdraw its Statement of Qualifications by advising the Prime Consultant in writing before the Closing Date and Time. The Owner will return the unopened Statement of Qualifications that has been withdrawn or a Statement of Qualifications that has been superseded by an “Amended Statement of Qualifications”.

SECTION 2.0 OWNER'S RIGHTS AND ADDITIONAL INFORMATION

2.1 Owner's Rights

2.1.1 The Owner's Right to Amend, Supplement or Cancel the Prequalification Proposal

The Owner without liability, cost or penalty, may in its sole discretion:

- Alter any dates in the Prequalification Proposal as they relate to the Prequalification Proposal process, at any time prior to or after the Closing Date and Time;
- Cancel the Prequalification Proposal at any time, whether prior to or after the Closing Date and Time, and the Owner may, but need not, in its sole discretion, issue a new Prequalification Proposal;
- Amend or supplement this Prequalification Proposal at any time prior to the Closing Date and Time;
- Reject any Prequalification Proposal submission that does not materially satisfy the conditions described in this Prequalification Proposal.

2.1.2 Statement of Qualifications Acceptance and Significance of the Statement of Qualifications Process

This is not a request for proposal or a request for tender. This is a Request for Qualifications through which the Owner seeks to identify "Short-Listed Proponents" that it deems most likely to be able to meet its requirements.

2.1.3 Substantial Compliance

This Prequalification Proposal contains the requirements with which a Proponent must substantially comply in order for the Proponent's Statement of Qualifications to receive consideration. If in the sole discretion of the Owner, the Statement of Qualifications does not substantially comply with each of the requirements, the Statement of Qualifications shall be disqualified and the Owner shall not give the Statement of Qualifications any further consideration.

2.1.4 The Owner's Right to Verify

The Owner may verify any statement or claim by a Proponent by whatever means the Owner deems appropriate, including contacting references other than those offered by the Proponent, and may reject any Proponent statement or claim if, in the judgment of the Owner, the statement or claim is unwarranted or not credible. The Proponent will co-operate with the Owner in its attempts to verify any statement or claim.

2.1.5 The Owner's Discretion

- a) The Owner will not necessarily accept any Statement of Qualifications;
- b) The Owner intends to select six (6) or fewer Short-Listed Proponents and reserves the right at its sole and absolute discretion to not include a Proponent even if its Statement of Qualifications is substantially compliant with the requirements of this Prequalification Proposal;
- c) The Owner will exercise its discretionary rights under this Prequalification Proposal in a reasonable manner.

2.1.6 Proponent to Seek Clarification

It is the responsibility of the Proponent to seek clarification on any matter it considers to be unclear in this Prequalification Proposal, including any attachments, prior to the Deadline for Receipt of Questions. The Owner will not be responsible for any misunderstanding on the part of the Proponent concerning this Prequalification Proposal the Prequalification Proposal process, or the Attachments.

2.1.7 Submitting Questions

Proponents who wish to obtain further information and clarification about the Prequalification Proposal, the Prequalification Proposal attachments or the Prequalification Proposal process are to submit their questions in writing to the Prime Consultant at the e-mail address set out in Section 1.13 of this Prequalification Proposal.

The Prime Consultant will accept written questions no later than the date and time indicated in the Prequalification Proposal Timetable in Section 1.6 (the “Deadline for Receipt of Questions”). The request shall specify the Prequalification Proposal Section, attachment and page number as applicable.

2.1.8 Communications - Prime Consultant

By submitting a Statement of Qualifications, the Proponent accepts that:

- Only the Prime Consultant is authorized by and on behalf of the Owner to amend the requirements of this Prequalification Proposal and that the Proponent is to rely only upon information or instructions provided in writing by the Prime Consultant;
- None of the Owner, its employees, agents, advisors and consultants shall be bound by any information or instructions provided to the Proponent, with the exception of information or instructions provided in writing by the Prime Consultant; and
- Any communication pertaining to this Prequalification Proposal with any employee of the Owner or the Owner's Representative, other than the Prime Consultant, will constitute a breach of the Owner's procedures and may result in the disqualification of the Proponent as a potential Short-Listed Proponent under this Prequalification Proposal.

2.1.9 Response to Proponents' Questions

The Owner's responses to questions will be provided or made available to all who have registered and submitted a Letter of Intent to Submit for the Prequalification Proposal by issuance of an Addendum without identifying the source of the question.

Responses to questions will be made available to all Proponents no later than 48 hours prior to Closing Date and Time.

2.1.10 Final Opportunity for Questions

Proponents are advised that the Deadline for Receipt of Questions from potential Proponents is the final opportunity for Proponents to seek clarification with respect to this Prequalification Proposal.

2.1.11 Change to Proposal Statement of Qualifications Due Date

If an addendum to the Prequalification Proposal is issued, the Closing Date and Time and the Deadline for Receipt for Questions may be changed to allow additional time for Proponents to complete their Statement of Qualifications. Proponents shall be advised of any revised dates for these items by addendum.

2.1.12 Receipt of Addenda

The Proponent is solely responsible to ensure that it has received all addenda, if any, issued pursuant to this Prequalification Proposal.

2.1.13 Addenda to Request for Qualifications

Proponents who have completed Registration will receive an e-mail containing any addenda for the Prequalification Proposal process.

Any amendments or supplements to this Prequalification Proposal made in any other manner, including any oral or written statement made by the Owner, the Prime Consultant, or their respective employees, agents, consultants or advisors, shall not constitute an addendum to this Prequalification Proposal.

Where there appears to be a conflict between the Prequalification Proposal and any addendum, the last addendum will prevail.

2.1.14 Addenda are Binding

The addenda shall be binding on each Proponent, and the Owner has the right to assume that the Proponent, in its Statement of Qualifications, has taken the information contained in the addenda into account.

2.2 Disqualification of Statement of Qualifications on Grounds of Faulty Submission

The Owner, without liability, cost or penalty, in its sole discretion, may disqualify any Statement of

Qualifications at any time during the Prequalification Proposal process if, in the opinion of the Owner one or more of the following events occur:

- a) the Statement of Qualifications contains incorrect information;
- b) the Statement of Qualifications is unresponsive to this Prequalification Proposal;
- c) the Proponent fails to cooperate with the Owner in its attempts to clarify information or evaluate the Statement of Qualifications;
- d) the Proponent misrepresents any information provided in its Statement of Qualifications;
- e) the Statement of Qualifications is incomplete;
- f) the Proponent is found to be in a conflict of interest or has achieved an unfair advantage with respect to this Prequalification Proposal;
- g) the Statement of Qualifications fails to report the existence of a conflict of interest or an unfair advantage;
- h) a change has occurred in the management or ownership structure of the Selected Proponent, or an incident or event has occurred involving the Proponent after the date of its submission, which affects the accuracy of the Statement of Qualifications, or;
- i) the Selected Proponent has announced that an agreement, whether final or conditional, has been reached with another party for the sale of all or part of its business and/or assets or a change in ownership of management of the Proponent.

2.3 Costs Incurred By Proponents

Nothing in this Prequalification Proposal, receipt by the Owner of a response to this Prequalification Proposal, a subsequent call for tenders, or finalizing by the Owner of terms of a contract to supply, shall in any way impose an obligation on the Owner to reimburse any Proponent or to pay any compensation for costs incurred in the preparation of a response to this Prequalification Proposal presentations, or the negotiation of a proposed contract except to the extent that such obligation is contained in the formal written contract containing terms and conditions satisfactory to the Owner and executed by the Proponent and the Owner.

2.4 No Obligation to Purchase

Nothing in this Prequalification Proposal receipt by the Owner of a response to this Prequalification Proposal or subsequent negotiations by the Owner of terms of a contract to supply, shall in any way impose a legal obligation on the Owner to sign a Contract with any Proponent or to make any purchases from any Proponent.

2.5 Entire PREQUALIFICATION PROPOSAL

This Prequalification Proposal all Appendices, and all addenda constitute the entire Prequalification Proposal.

2.6 Ownership

Statement of Qualifications received in response to this Prequalification Proposal before the Closing Date and Time shall become the property of the Owner and will not be returned. Unless disclosure is required pursuant to any legislative or other legal requirement or any order of a court or other tribunal having jurisdiction, all Statement of Qualifications shall be treated as confidential and will be made available only to those individuals authorized to participate in the evaluation process.

SECTION 3.0 EVALUATION AND SELECTION PROCESS

3.1 Objectives

The objective of the Evaluation and Selection Process is to identify the Statement of Qualifications that effectively meet the requirements of this Prequalification Proposal and provides the best value to the Owner so “Short-Listed Proponents” for a Tender call can be determined.

3.2 Evaluation Team

An evaluation team will evaluate the Statements of Qualifications. The evaluations will be conducted using pre-determined criteria set out in this Prequalification Proposal

3.3 Evaluation

The Prequalification Proposal evaluation will be comprised of the following stages:

Stage 1: Review of Mandatory Requirements

Stage 2: Review of Rated Requirements

Stage 3: Evaluation to Determine Short-Listed Proponents

3.4 Evaluation & Selection Criteria

3.4.1 Stage 1: Review of Mandatory Requirements

The Owner will review each Statement of Qualifications for Substantial Compliance with the Mandatory Requirements. Subject to the paragraph immediately following, Statement of Qualifications that do not substantially comply with the Mandatory Requirements will be eliminated from further consideration in the evaluation process at the owners discretion.

Statement of Qualifications that fail to comply with a Mandatory Requirement due, in the Owner's sole determination, to clerical or administrative error or oversight may be deemed compliant with the Mandatory Requirement if the Proponent acknowledges the error or oversight and takes corrective action in writing within 24 hours of the Prime Consultant giving notice of the same. For clarity, this provision will under no circumstance be construed in such a manner as to extend to the affected Proponent any opportunity to amend, update, adjust, enhance or correct its Statement of Qualifications.

Where a Proponent does not substantially comply with a Mandatory Requirement, a “Fail” score will be the result for that specific criterion and may disqualify the Statement of Qualifications from further evaluation. Proponents must substantially comply with all Mandatory Requirement criteria in order to enter into Stage 2 of the evaluation process.

3.4.2 Stage 2: Review of Rated Requirements

Stage 2 applies to all Statements of Qualifications that have not been eliminated in Stage 1 or that have not been disqualified for any of the reasons set out in Section 2.2.

Proponents' responses to Rated Requirements will be evaluated on the extent to which they meet the requirements. Proponents' Statement of Qualifications should therefore contain detailed responses and references to any attached substantiating documentation. Responses and substantiating documentation should be clear, direct and grouped together with an index provided to make it easy for the evaluators to locate a particular response or substantiating item.

Statements of Qualifications that do not respond to a particular Rated Requirement will receive a zero-point score for that Rated Requirement.

For each Statement of Qualifications that has proceeded to Stage 2, the Owner will review and score the information provided by the Proponent in response to the Rated Requirements provided for in Section 5.0 of the Prequalification Proposal.

The total score awarded to the Statement of Qualifications at the end of this stage is the “Stage 2 Score”.

Subject to the Owner's Rights set out in Section 2, the highest ranked Proponents, to a maximum of six (6), shall be the "Short-Listed Proponents" invited to respond to a Request for Tender (the "RFT") for the construction of the Town of Marathon Active Living Centre.

The Prequalification Proposal documents shall include the following provision:

"The Owner may, in its sole and absolute discretion, cancel this pre-qualification process in whole or in part as a result of a change in plans by the Owner with respect to the construction of the Town of Marathon Active Living Centre.

The Owner reserves the right at its sole and absolute discretion to refuse to consider, to remove from the evaluation process entirely, and to reject outright any submission which in the opinion of the Owner's evaluation committee is incomplete, contains incorrect information, or contains exceptions or variations from the Prequalification Proposal criteria not acceptable to the Owner's evaluation committee.

Without limiting but in addition to the foregoing, the Owner may eliminate any bid where a change has occurred in the management or ownership structure of the Short-Listed Proponent, or an incident or event has occurred involving the Short-Listed Proponent following the date of its PREQUALIFICATION PROPOSAL submission, which affects the accuracy of its Statement of Qualifications."

SECTION 4.0 MANDATORY REQUIREMENTS

Mandatory Requirements must be substantially satisfied by the Proponent, failing which the Proponent's Statement of Qualifications will be disqualified. The Proponent must demonstrate compliance with the Mandatory Requirement or submit the requested substantiating information.

Section No.	Item	Pass / Fail
4.1	Bonding	
4.2	Insurance	
4.3	Financial Information	
4.4	CCDC Document 11 – Form 2019	
4.5	WSIB and Health and Safety Policy	
4.6	Declaration	

4.1 Bonding

Provide a letter from the surety company, which states that if successful, the surety is confident that the following would be provided:

- Bid Bond of 10% of a construction value of up to \$8,000,000 and;
- Performance Bond for 50% of a construction value of up to \$40,000,000 and;
- Labour and Material Bond for 50% of a construction value of up to \$40,000,000.

4.2 Insurance

The successful bidder shall indemnify Marathon from any and all manner of damage or injury, risk, claims, demands, actions, penalties, causes of action, damages and any and all costs arising out of, or incurred by reason of provision of courier services by the bidder. The cost of such insurance shall be the responsibility of the Bidder.

- The successful bidder(s) will obtain a comprehensive policy of public liability and property damage insurance coverage with an insurer licensed to carry on business in the Province of Ontario, in respect of any one accident to a minimum of Five Million Dollars (\$5,000,000.00) exclusive of interests and costs, against loss or damage resulting from bodily injury to, or death of, one or more persons and loss of, or damage to property of the owner of any other public or private property resulting from or arising out of any act or omission on the part of the successful bidder(s) or any of his/her servants or agents during the execution of the contract and the successful bidder(s) shall (unless otherwise stated in this document,) within seven (7) working days of being notified, provide the Finance Department a completed Certificate of Insurance. The policy shall name Marathon as an Additional Insured for the purposes as outlined in the Request for Proposal.
- The successful bidder(s) shall carry and maintain third party liability insurance coverage for both owned and non-owned motor vehicles in the sum of Two Million Dollars (\$2,000,000.00) per occurrence and (unless otherwise stated in this document) within seven (7) working days of being notified, will provide the Finance Department a completed Certificate of Insurance.

Cancellation of coverage shall be so notified to Marathon by mailing at least 30 days' written notice to the Insured at the address stated herein, except for Non-Payment of premium, which is 15 days by Registered Mail or 5 days hand delivered.

As a condition precedent to contract award, Certificates of all such insurance policies shall be filed with Marathon by the successful bidder and shall be subject to Marathon's approval as to the adequacy of protection. All the above-mentioned insurance shall be maintained until Marathon certifies that the work is complete.

4.3 Financial Information

Proponents must submit a valid Letter of Authorization from the Proponent's financial institution to enable the Owner (Marathon) to secure written credit references.

4.4 Completed and Sealed CCDC 11

Proponents must submit a completed and sealed CCDC Document 11 – 2019 Contractors Statement of Qualification.

4.5 WSIB and Health and Safety Policy

Proponents must submit an original Certificate of Good Standing from the Ontario Workplace Safety & Insurance to Marathon prior to the commencement of any work and shall provide additional certificates as often as is deemed necessary by Marathon during the term of the contract to ensure continued good standing with the Workplace Safety & Insurance Board.

The successful proponent shall indemnify Marathon against the payment of any sum required to be paid pursuant to the Act. If required, Marathon may deduct any such fees from any payment due to the successful proponent. Marathon shall not be considered to be the employer of the Contractor or its personnel under any circumstances whatsoever.

4.6 Declaration

Proponents must submit a signed and dated declaration that “the information provided in this pre-qualification submission is true and correct to the best of my knowledge”.

SECTION 5.0 RATED REQUIREMENTS

Proponents are to submit the information requested within this section. For those requirements to which Proponents cannot comply, state the reason for non-compliance. At the Owner's sole discretion, significant non-compliance may be assessed as non-conformance.

Section No.	Item	Weight
5.1	General Information Regarding Proponent *	5%
5.2	Project Personnel	25%
5.3	Team Structure and Processes	10%
5.4	Experience with Similar Projects **	25%
5.5	Understanding of the Project	5%
5.6	Scheduling	10%
5.7	Quality Management	10%
5.8	Experience working in Northern Ontario	5%
5.9	Working with First Nations Partners	5%
	TOTAL	100%

* excludes Section related to Experience with Similar projects to be completed as part of CCDC 11

**refer to section 5.4 below – this is to be completed as part of the CCDC 11 document

A total score of 75% is required to prequalify

5.1 General Information Regarding Proponent

5.1.1 CCDC Document 11

Proponents must submit a completed and sealed CCDC Document 11 – 2019 Contractors Statement of Qualification.

The Proponent's completed CCDC Document 11 – 2019 Contractors Statement of Qualification edition will be evaluated based on completeness and experience of the Proponent in relation to this Project.

5.1.2 Health and Safety Policy:

Submit one (1) copy of your company's Health and Safety policy in PDF format. The Health and Safety Policy will be evaluated based on its completeness and rigour.

5.1.3 Council Amendment to Draft #7 (CAD 7)

Submit a completed safety record form CAD 7 Experience Rating assessment as calculated and issued by the Workplace Safety and Insurance Board (WSIB) or Merit Adjusted Premium Program Rate Statement (no alternative forms, assessments or rating plans will be accepted). The CAD 7 assessment will be evaluated to determine the safety rating and the Owner may make inquiries about the specific details of any incidents.

5.1.4 Management of Projects

The proponent should describe in detail the specialized practices and procedures deployed to aid in the successful delivery of Projects. The proponent should also provide relevant information regarding the proponent's firms commitment to sustainable practices in its day-to-day business.

5.1.5 Additional Information

Additional pertinent information about the proponent firm, their history and stability will also be evaluated (maximum 1 page).

5.2 Project Personnel

Provide a) resumes and b) completed Project Personnel Form provided in Appendix C, for the Project Manager, Site Superintendent and Secondary Site Superintendent to be assigned to this project.

To support the information presented for the Project Manager and Site Superintendent, submit a completed Similar Project Information Form (Appendix B) for each project referenced for each position.

By responding to the Prequalification Proposal, the proponent agrees that the identified Project Manager and Site Superintendent shall not be replaced without prior written consent and approval from the Owner or its representatives and agrees to maintain full site coverage during the construction by either the

Project Manager or Site Superintendent. The Owner reserves the right to accept or reject the replacement or disqualify the Proponent if it deems the replacement unacceptable.

5.3 Team Structure and Processes

Proponents must provide evidence of its organization's ability to work as a single, integrated, well-organized team and effectively coordinate activities with third parties on the Project. Include details on:

- a) a brief description of the overall team and structure identifying key team members;
- b) approach for measuring, assessing and maintaining accountability for performance applicable to the Project;
- c) approach for ensuring availability of an adequately trained workforce sufficient to meeting the needs of the Project;
- d) approach to risk allocation between team members working on the Project;
- e) approach to ensuring suitable and effective risk management of the Project;
- f) measures that have been implemented to ensure continuity of personnel through the RFP and implementation phases of the Project; and
- g) approach to coordinating and communicating with consultants and trades to ensure a consistent, integrated and efficient approach to completing a Project.

5.4 Experience with Similar Projects

Proponent must provide a summary of at least four (4) "Similar Projects" with a project size equal to or greater than 60,000 square feet and constructed within the past seven (7) years. At least one project must include a pool facility and at least one project must include an arena facility. The pool and arena do not need to be part of the same facility.

Proponents are to complete the Similar Project Information Form provided in Appendix B. This is to be included within the CCDC 11 document

Proponents are required to describe each Similar Project in some detail (1 page per project maximum), including major sub-trades, schedule timelines and final construction cost and size.

- A brief description of the Similar Project.
- The name of the electrical, mechanical, and all relevant contractors and sub-contractors on each of the projects.
- The names of the principal contact representing the Client, and the Project Manager, complete with telephone numbers, email addresses and other contact information.
- Project size, final construction cost, schedule timelines

Similar projects may include Recreation Centres or other Municipal Community/Recreation buildings of a size listed above.

The information on Similar Projects will be evaluated based on complexity, size and comparison to the Marathon ALC Project.

5.5 Understanding of the Project

In a brief overview, provide a description of your understanding of this project and provide comments on perceived construction related issues with recommendations that could mitigate any potential risks.

5.6 Scheduling

Proponents should provide commentary on the how they intended to maintain and achieve the proposed project schedule. The project is expected to begin construction late spring/early summer of 2025 and be completed in approximately 24 to 30 months. The start date of the project is dependent upon funding approvals from various levels of government as well as the Town of Marathon.

Describe the scheduling methods used by your company. In particular, describe the software used and procedures followed for presentation, monitoring, and updating of the schedule.

Provide a detailed graphic sample of a schedule developed for a previous "Similar Project", including copies of the schedule as it was updated.

Describe typical methods you might use to:

- a) compress the overall length of the Project's construction in order to meet a tight deadline;
- b) avoid delays;
- c) identify schedule slippage; and
- d) address schedule slippage.

5.7 Quality Management

Describe how your firm manages and controls the quality of a project from pre-construction to construction and occupancy. Include details on:

- a) selection and management of sub-trades;
- b) construction coordination;
- c) ensuring quality workmanship;
- d) review of mock-ups and early installations;
- e) identification and correction of deficiencies;
- f) supervision of work;
- g) site safety and security;
- h) quality control inspections;
- i) management of project related documents; and
- j) management of project closeout.

Marathon seeks a building that exhibits high quality craftsmanship as an indicator of the quality that it produces. To that end, Proponents must submit a list of Potential Trade Contractors (maximum 5 for each trade package) who will be invited to price the following work packages that are deemed critical to perceived building quality.

- a) Flooring/tiling;
- b) Drywall and Acoustics;
- c) Roofing
- d) Waterproofing
- e) Concrete
- f) Structural Steel
- g) Exterior Glazing
- h) Masonry
- i) Exterior Metal Cladding
- j) Ice Rink Floor Systems
- k) Pool
- l) Painting;
- m) Millwork

Note that both the Mechanical Contractor and Electrical Contractor will be selected from a list of up to 6 prequalified contractors. Prequalification of these trades is in process and the results will be provided to the prequalified contractors.

Each Proponent's list of Potential Trade Contractors will be reviewed and evaluated by the Owner and the Consultants. The Owner and the Consultants will evaluate the Trades based on past work performance/references and confirm on each list those trades which are deemed acceptable. In the

subsequent Call for Tenders, a Proponent may only include those Potential Trade Contractors confirmed as acceptable by the Owner and the Consultants. Any change or deviation from the approved list of Potential Trade Contractors must be approved by the Owner and may be rejected at the Owner's sole discretion.

Each Proponent's list of Potential Trade Contractors will be deemed confidential by the Owner and the Consultants and will not be shared with any parties or persons not directly involved with the evaluation.

5.8 Working in Northern Ontario

In the space provided in Appendix B proponents should demonstrate their knowledge of working in Northern Ontario by identifying similar projects that have been completed in the last 7 years.

5.9 Working with First Nations Partners

In the space provided in Appendix B proponents should demonstrate their knowledge of working with First Nations Partners by identifying similar projects that ben been completed in the last seven years and providing examples of how First Nations participation was incorporated into the projects.

APPENDIX A – SUBMISSION LABEL

From: _____

Contact: _____
Telephone: _____

SEALED PREQUALIFICATION:

DESCRIPTION: GC Pre-qualification
Marathon Active Living Centre

CLOSING DATE: December 17, 2024

For Office Use Only

Date and Time Received: _____

Received By: _____

APPENDIX B – SIMILAR PROJECT INFORMATION FORM
Marathon Active Living Center
PREQUALIFICATION PROPOSAL for Pre-qualification of General Contractors

On separate copies of **this Form**, provide the required project information for the required number of projects of a similar type, size and complexity the Proponent has completed.

Example No: _

Project Name: _

Location: _

Project Details

Project Size

Project Value \$: _____ Start Date: _____ Completion Date: _____

Client Name: _____

Prime Consultant: _____

Project Size (Sq.ft.) _____

Mechanical Trade _____

Electrical Trade _____

Method of Project Delivery

Description of the Project: (project complexity, project completed on time and on budget? etc.)

Client Project Reference:

Project Reference Name:

Phone Number:

Project Reference Position:

E-mail Address

Prime Consultants Reference:

Project Reference Name:

Phone Number:

Project Reference Position:

E-mail Address

- End of Appendix B -

APPENDIX C – PROJECT PERSONNEL FORM
Marathon Active Living Center
PREQUALIFICATION PROPOSAL for Pre-qualification of General Contractors

On separate copies of **this Form**, provide the required project information for the required number of projects of a similar type, size and complexity the Proponent has completed.

Name:

Proposed Role in Project:

Years of Construction Experience:

Qualifications:

(Including Credentials, Academic background, Licences, Professional Registrations and Affiliations)

Employment History:

Experience with Similar Projects:

Construction Experience: (Years in this sector)

- End of Appendix C -

APPENDIX D – Declaration
Marathon Active Living Center
PREQUALIFICATION PROPOSAL for Pre-qualification of General Contractors

DECLARATION OF CONFLICT OF INTEREST

Each proponent shall declare in its proposal any situation that may be a conflict of interest or a potential or perceived conflict of interest of the proponent, including but not limited to its obligations to the Town, the contract, the contract price or any customer.

The Town of Marathon has a fiduciary responsibility to ensure that such behaviour is not permitted and reserves the right to remove from eligibility the name of any proponent for failure to comply with the above conditions.

The proponent declares that this proposal is not made in connection with any other supplier submitting an offer for the same commodity/service and is, in all respects, fair and without collusion or fraud.

Based on the above, do you believe your firm may be in possible conflict of interest? Please check appropriate answer.

_____ No

_____ Yes – If yes is selected please submit with your proposal a detailed letter indicating any possible conflict of interest.

AGREEMENT TO ABIDE BY ESTABLISHED PROCESS

1. The Town of Marathon is advising each of the Town of Marathon's staff and agents that the integrity of the Request for Supplier Prequalification Process requires observance of the following ground rules:
2. All communications, including requests for information, between proponents and the Town must be between only the representatives of Town and each proponent, named below, who have been authorized and designated for that particular purpose.
3. Apart from the communications between and among the designated representatives, there must be no communication between Town and any representative of the proponent, and no giving of information with respect to the request for supplier prequalification and subsequent contracts.
4. Any attempt on the part of any proponent, or any of its employees, agents, contractors, subcontractors or representatives to contact any persons other than the designated representatives with respect to the request for supplier prequalification, or any action or violation of the above requirements, will be grounds for disqualification, and Marathon may, in its discretion, in addition to any other rights or remedies available at law, reject any potential or actual proposal submitted by that proponent.
5. Proponents must accept and agree to observe the contents of this "Agreement to Abide by Established Process", inform their staff thereof, and ensure their compliance therewith.
6. This Agreement to Abide by Established Process must be signed by a person who has the authority to bind the proponent and must be submitted with the proposal.

DECLARATIONS

We hereby declare that:

- (a) No person, firm, corporation other than the undersigned has any interest in this prequalification proposal.
- (b) Acknowledge and agree that should it be determined that any statements provided in my/our prequalification proposal are false or in error, the Town may reject my/our prequalification proposal as non-compliant.
- (c) By submitting a proposal, agree and consent to the terms, conditions and provisions of the Request for Prequalification.

The proponent acknowledges receipt of Addenda No. _____ to _____ inclusive.

SIGNATURES

SIGNED AND SUBMITTED for and on behalf of:

SIGNATURE

DATE

NAME and TITLE of the authorized legal signing authority

WITNESS

SIGNATURE

DATE

End of Appendix D -

APPENDIX E – Concept Plans and Renderings
Marathon Active Living Center
PREQUALIFICATION PROPOSAL for Pre-qualification of General Contractors

Town of Marathon Active Living Centre



LEGEND			
① Open Lawn	⑤ Pickleball	⑨ Sun Deck	⑬ Parking Accessible
② Mound	⑥ Ping Pong	⑩ Amphitheatre Seating	⑭ Dropoff
③ Basketball	⑦ Accessible Path	⑪ Bioswale	⑮ Upper Plaza
④ Playground	⑧ Flexible Seating	⑫ Parking	⑯ Lower Plaza

Active Living Centre

Tour the Building!

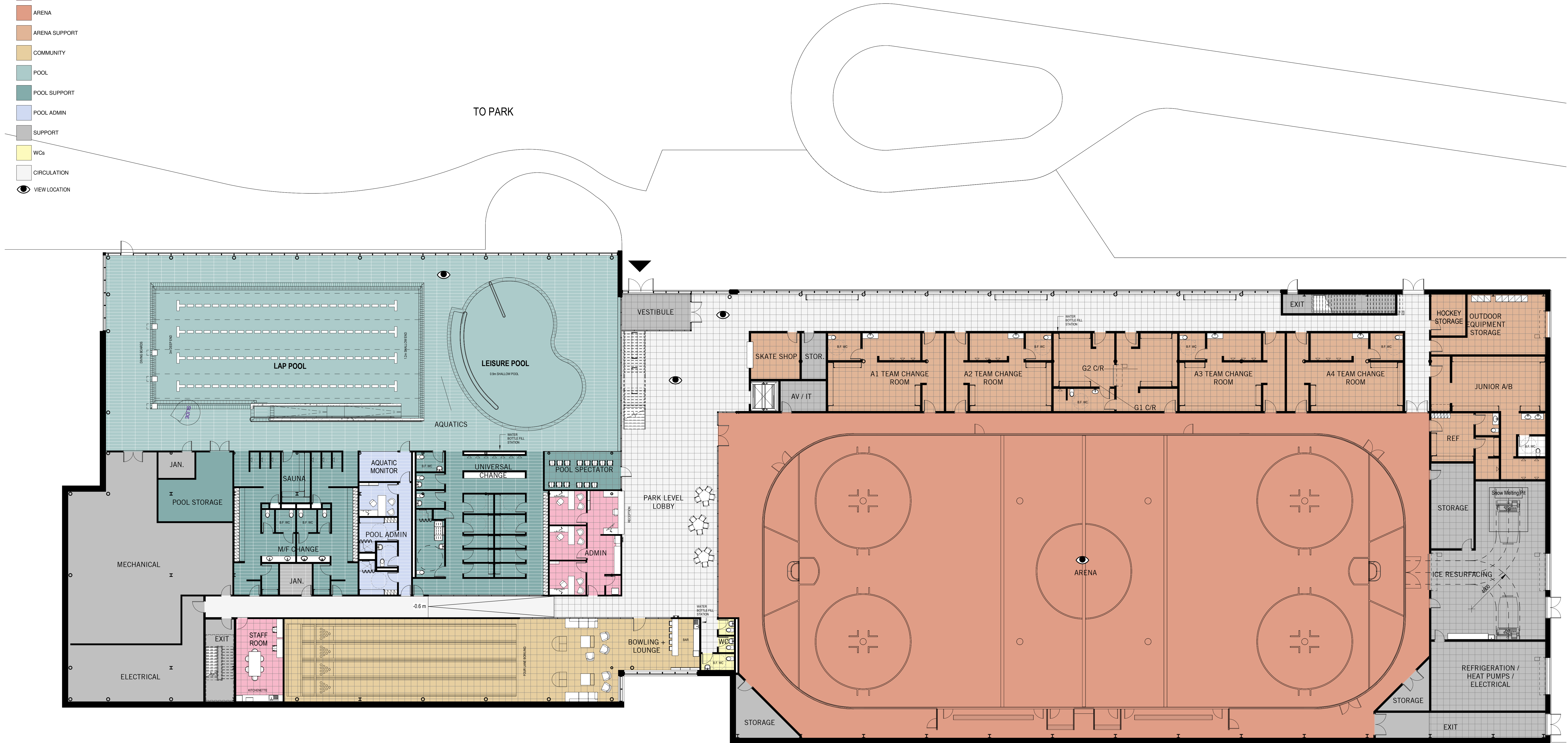
Scan the QR code with your phone to tour the building.



Town of Marathon Active Living Centre



- PROGRAM LEGEND
- ADMIN
 - ARENA
 - ARENA SUPPORT
 - COMMUNITY
 - POOL
 - POOL SUPPORT
 - POOL ADMIN
 - SUPPORT
 - WCS
 - CIRCULATION
 - VIEW LOCATION



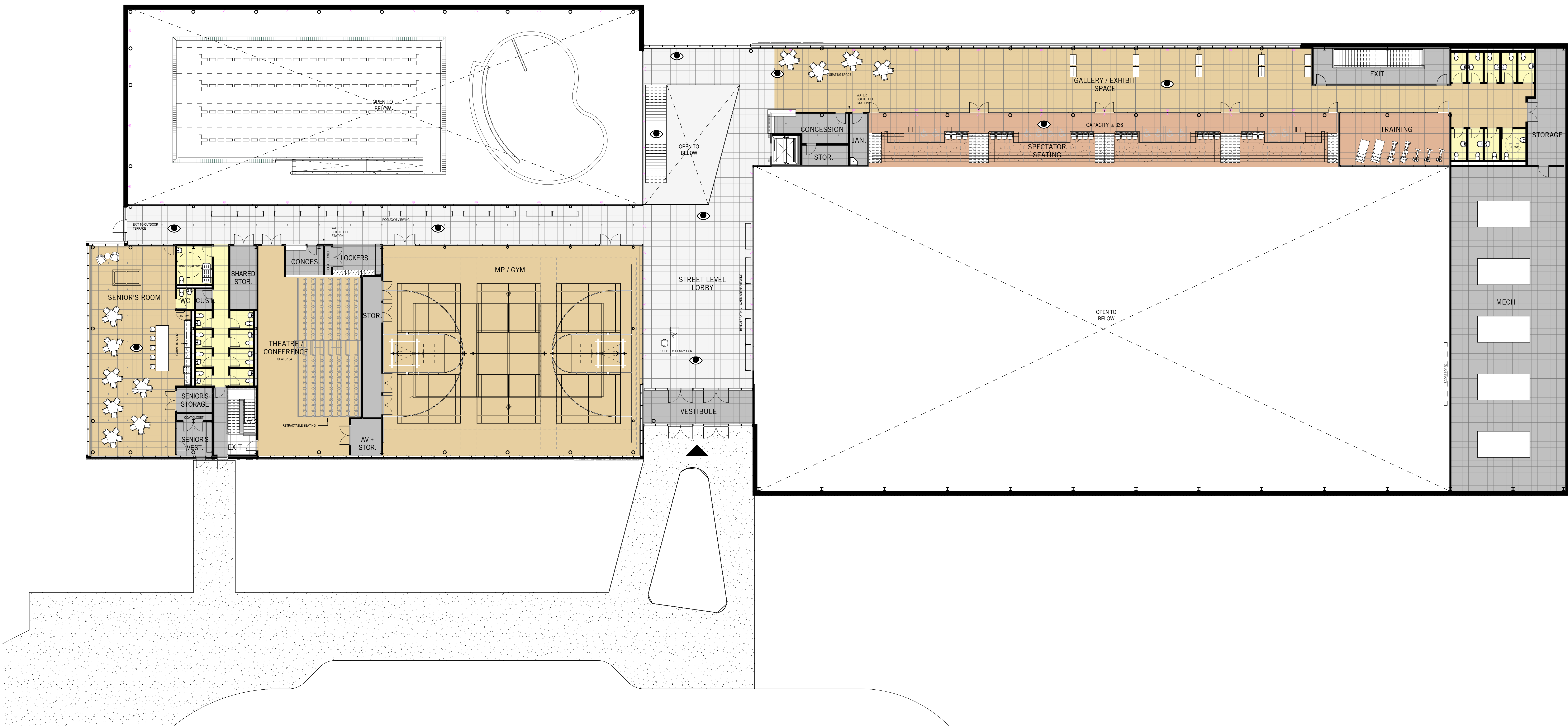
Park Level - Floor Plan
Scale 1:150



Town of Marathon Active Living Centre



- PROGRAM LEGEND
- ARENA SUPPORT
 - COMMUNITY
 - SUPPORT
 - WCs
 - CIRCULATION
 - VIEW LOCATION



Street Level - Floor Plan
Scale 1:150



Town of Marathon Active Living Centre



Conceptual Rendering - Street Level Entrance



Town of Marathon Active Living Centre

Town of Marathon
Active Living Centre



Conceptual Rendering - Park Level Entrance