



## PREQUALIFICATION PROCESS GENERAL CONTRACTORS & TRADES

(Projects valued under \$250,000)

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### INSTRUCTIONS

The Liquor Control Board of Ontario (“LCBO”) is inviting applications by General Contractors and Trades for prequalification to be considered for a variety of projects (valued under \$250,000) including retail store construction and renovation projects or general repairs and maintenance requirements.

The Prequalification Application Form may be submitted to the address as set out on page 4 (Section D - Delivery Instructions). The LCBO will evaluate new applications for prequalification on a regular basis as they are submitted. After completing a review of an application, the LCBO will inform the general contractor or trade if their application has been accepted or rejected.

#### A) BACKGROUND AND SCOPE OF WORK

Under the provisions of the *Liquor Control Act*, RSO 1990, c.L.18, the LCBO is a Crown corporation, established for the purpose of control, distribution and sale of beverage alcohol, in a socially responsible manner in the Province of Ontario.

The LCBO operates five regional warehouses that supply approximately 600 stores across Ontario.

LCBO’s Store Development & Real Estate Department is requesting Applications from General Contractors and Trades for prequalification to be considered for a variety of projects (valued under \$250,000) including retail store construction and renovation projects or general repairs and maintenance requirements.

The projects may involve retail store construction, facility/office and renovation projects including, but not limited to:

- a) store interior renovations and retrofits;
- b) fixture and equipment prototypes and rollouts;
- c) additions and expansions in existing locations;
- d) office and facility renovation; and
- e) general repairs and maintenance projects.

By means of this prequalification process, the LCBO will create a list of both qualified General Contractors and Trades. General Contractors and Trades who experience no material changes and remain in good standing with the LCBO will remain on the approved list for one (1) year, without need for further prequalification. The LCBO may choose to extend the period of prequalification for up to three (3) additional one (1) year periods for General Contractors and Trades whose performance continues to be satisfactory.

The LCBO will continually monitor the performance of General Contractors and Trades and will consider performance as key criteria for future project opportunities. The LCBO reserves the right to remove prequalified Contractors and Trades from the approved list on the basis of unsatisfactory performance and non-compliance with LCBO standards and practices.

It is the LCBO's intention that projects estimated to be under \$250,000 may be tendered to prequalified General Contractors and/or Trades from the approved list, depending upon location of the project and the type of service required.

The list will be divided into districts as described on the Application Form in Section 4 – Area of Work. All Prequalified Vendors from an applicable district may be notified of upcoming projects and may be requested to advise of their intention to bid. Those Vendors will then receive a tender package on the particular project. However, the LCBO may nevertheless elect, in its sole discretion, to consider bids from General Contractors or Trades who have not been previously prequalified (in addition to those on the list who have been invited to bid) if, in the LCBO's opinion, market conditions, geographic location, specialized requirements or other similar reasons justify tendering a specific construction project to more bidders than are available from the prequalified list.

Depending on the nature of the project, prequalified Trades may be retained to provide services directly to the LCBO or through General Contractors acting on behalf of the LCBO. Where applicable, prequalified Trades may be required to provide their bids to General Contractors acting on behalf of the LCBO.

## **B) SUBMISSION OF APPLICATIONS**

**Applicants wishing to be considered for inclusion on the list of prequalified Vendors should complete and submit the following information. Failure to provide the information requested may lead to a delay in the review of the application. Please provide attachments if additional space is required.**

### **1. Company Profile**

- 1.1. Submit a completed and signed Prequalification Application.

### **2. Bonding & Insurance**

- 2.1. Submit a copy of the CAD7 WSIB Rating Form and a copy of a current WSIB Clearance Certificate.
- 2.2. If selected as the successful bidder on a project, you will be required to provide a certificate of insurance evidencing comprehensive general liability insurance in the amount of at least \$2,000,000. Please note that the LCBO reserves the right to require increased or additional insurance coverage in connection with any particular project.

Please note that prequalified General Contractors may be required, prior to any final award of project, to provide satisfactory evidence of bonding and insurance, in accordance with the specific requirements of the applicable project tender documents. A copy of your company's Occupational Health and Safety Policy may also be required. Additional requirements (if any) would be described in the applicable project tender documents.

### **3. Type of Work**

- 3.1. Please indicate the project value(s) you wish to bid. Vendors seeking prequalification for projects **over** \$250,000 are required to complete and submit form LCB 2229 Prequalification of General Contractors Application (2) available at [www.lcbo.com](http://www.lcbo.com).
- 3.2. List the service(s) you are able to provide. All of the services are for repair and/or install **only**. If you have indicated you are able to provide a service, the service must be provided by your company and may not be sub-contracted to another company without prior approval by the LCBO. Please use the list provided on the Prequalification Application form. If the service your firm provides is not listed please check  Other and indicate the service.
- 3.3. Please provide copies of applicable licenses, professional association certificates and industry qualifications.

**Note:** Please note that prequalified General Contractors and Trades are obligated to inform the LCBO, in a timely manner, of any changes which may affect its prequalified status with the LCBO. Failure to make timely disclosure to the LCBO may result in removal from the prequalified list.

### **4. Conflict of Interest**

- 4.1 Applicants are required to disclose any actual, apparent or potential conflict of interest that comes to its attention in preparing its application, during the review of the application or during the term of any subsequent agreement with the LCBO. The Applicant shall accept any determination by the LCBO as to whether they have a conflict of interest and the consequences of having such a conflict of interest, including disqualifying any application, requiring the Applicant to withdraw from any bidding or terminating any agreement awarded to such Applicant.

### **5. Area of Work**

The LCBO operates within four geographical regions, which are then divided into districts, throughout the Province of Ontario as shown on regional maps attached as Appendix A – District Maps:

- Region 1
- Region 2
- Region 3
- Region 4

Indicate on the Application Form which district/districts you are requesting prequalification for.

## C) PREQUALIFICATION REVIEW PROCESS

The LCBO will consider the following when reviewing your prequalification application:

- Applicable licenses, professional association certificates and industry qualifications
- Receipt of WSIB Clearance Certification (copy)
- Receipt of CAD7 WSIB Rating Form (copy)

Applications for prequalification which do not contain the information requested may result in the applicant not being prequalified and the application being rejected.

### **References:**

The LCBO reserves the right to request references from any applicant prior to accepting an application for prequalification. The LCBO may reject an application from an applicant whose references are unsatisfactory to the LCBO in its discretion.

## D) DELIVERY INSTRUCTIONS

The LCBO requests that applications be delivered as follows:

- **One (1) original signed application plus one (1) copy of the application must be provided.**

Please ensure applications are delivered in an envelope with the name and address of the General Contractor or Trade clearly identified on the outside of the package to the following address:

### **Prequalification of General Contractors & Trades (Under \$250,000)**

LCBO Purchasing Department  
1 Yonge Street, Suite 1404  
Toronto, Ontario M5E 1E5

Attention: Tonia Edwards, Purchasing Clerk

## E) RULES GOVERNING APPLICATION PROCESS

### **1. Clarification**

1.1 Please direct any question related to the Prequalification to the Purchasing Department, Attn: Tonia Edwards, Fax #416-864-6853 or email [purchasing.department@lcbo.com](mailto:purchasing.department@lcbo.com).

### **2. Review of Applications**

2.1 It is essential that your application thoroughly address each requirement identified in these instructions. Applications which are:

- a) incomplete; or
- b) improperly signed, conditional, illegible, obscure, or contain deletions, alterations, or significant irregularities in form or content, may be returned by the LCBO for further information and/or clarification.

### **3. Rules Governing Prequalification**

- 3.1 LCBO is not obligated to prequalify any General Contractors or Trades.
- 3.2 The LCBO reserves the right to either reject or retain for consideration any application whether or not it is completed properly and whether or not it contains all required information. Without limiting that right, the LCBO may request clarification, including supplementary information relating to the clarification, where any applicant's intent is unclear. Alternatively, the LCBO may waive the need to supply specified information or request amendment to an application where, in the opinion of the LCBO, there is sufficient information in the application to consider, or the irregularity, error or omission contained in the application is not material.
- 3.3 Selection of prequalified General Contractors and Trades will be made at the LCBO's sole discretion.
- 3.4 Being selected to be on the prequalified list does not constitute a commitment by the LCBO to a General Contractor or Trade to award any contracts.

### **4. Termination**

LCBO shall have the right to terminate the Prequalification process at any time without obligation.

### **5. Application Cost**

All costs incurred in the preparation and delivery of an application is the sole responsibility of the General Contractor and Trade. The LCBO is not responsible for any costs associated with the application.

### **6. Litigation**

The LCBO may, in its absolute discretion, reject an Applicant's application if the Applicant or any officer or director of the Applicant is or has been involved within eight years of the date of the application, either directly or indirectly through another corporation, (i) in a legal action taken by the LCBO, any of its Board members, officers or employees in connection with any matter related to the LCBO, or (ii) in a legal action against the LCBO, any of its Board members, officers or employees, in connection with any matter related to the LCBO, including without limitation, arising from the LCBO's exercise of its powers, duties, or functions.

### **7. Governing Law**

This Prequalification process shall be governed by and construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable therein and the Courts of Ontario shall have exclusive jurisdiction to determine all disputes and claims arising out of or in any way connected with this Prequalification process.

## **8. Legal Obligations of the LCBO**

This process is not a tender or a request for proposal but is merely an application for consideration to be prequalified for bidding on future work for the LCBO. As such, the LCBO owes no duty or obligation to any applicant, in law or otherwise. By submitting an application to be considered for prequalification, an applicant acknowledges and agrees that the LCBO has no liability to any applicant arising out the consideration of an application, the process of evaluation of applications, the selection of prequalified General Contractors and Trades, or any other matter arising out of this application process, and that any possible complaint or claim any applicant may have against the LCBO in respect of this process is waived.

### **ADDITIONAL DOCUMENTS:**

- **Prequalification Application**
- Appendix A - Maps indicating Regions and Districts for construction
  - Region 1
  - Region 2
  - Region 3
  - Region 4