



TORONTO HYDRO-ELECTRIC SYSTEM LIMITED

Construction Contractor Pre-Qualification

Application

Version 1.5

February 1, 2010

INSTRUCTIONS TO CONTRACTORS

1. INTRODUCTION

- (i) This Construction Contractor Pre-Qualification Application (the "Application") is being issued and administered by the Toronto Hydro-Electric System Limited ("THESL") Supply Chain Services Department on behalf of THESL and/or its Affiliate(s), as defined in the *Business Corporations Act* (Ontario), as the case may be ("Toronto Hydro"), in order to obtain Applications from one or more contractors that may result, if approved by Toronto Hydro, in contractors being pre-qualified to submit competitive bids in relation to the project categories listed herein.
- (ii) A contractor's pre-qualification signifies that an applicant has met the minimum requirements established by Toronto Hydro, and does not mean that the contractor is on equal footing with other pre-qualified contractors.
- (iii) For greater certainty, a contractor's pre-qualification does not mean that the contract will be invited to submit competitive bids for any Toronto Hydro projects, nor does it mean that the contractor will be awarded any contract for work by Toronto Hydro.
- (iv) Toronto Hydro reserves the right, in its sole discretion, to conduct additional pre-qualifications for specific projects.

2. QUALIFICATION

- (i) Contractors interested in pre-qualifying in order to submit competitive bids shall complete and submit the following information no later than October 31:
 - (a) a duly signed copy of the Initial Contractor Pre-Qualification Certificate;
 - (b) Section One – identification of the project categories of interest;
 - (c) Section Two – the contractor's business information;
 - (d) Section Three – financial information;
 - (e) Section Four – references for construction projects the contractor has completed;
 - (f) Section Five – references for construction projects the contractor is engaged in as of the date of submission of this Application;
 - (g) Section Six – health and safety information;
 - (h) Section Seven – minimum employee training requirements;
 - (i) Section Eight – minimum employee qualifications; and
 - (j) Section Nine – vehicle description capabilities.
- (ii) Failure to complete the Application in its entirety or with sufficient information and/or detail, or if the Application contains fraudulent, false, deceptive or misleading

information, may result in rejection of the contractor's application and/or disqualification.

- (iii) All responses and accompanying documentation submitted by contractors shall become the property of Toronto Hydro and will not be returned.
- (iv) Contractors that have previously pre-qualified and wish to renew their status as pre-qualified contractors shall complete and submit the Application, as amended from time to time by Toronto Hydro, in its sole discretion, every three (3) years or such shorter period of time as determined by Toronto Hydro, in its sole discretion.
- (v) Contractors that have previously performed work on a project(s) for Toronto Hydro shall submit a statement identifying the project(s) and any training completed pursuant to Toronto Hydro's training programs and requirements in connection thereto, including, without limitation, training in accordance with the Toronto Hydro Work Protection Code, the THESL Rule Book, and Confined Space Training.

3. SUBCONTRACTORS

- (i) If Toronto Hydro elects, in its sole discretion, to approve the contractor as a contractor pre-qualified to submit competitive bids for specified types of work, the contractor shall be responsible for ensuring that any subcontractors that may be retained by the contractor are pre-qualified in accordance with the requirements of this Application prior to performing any work for Toronto Hydro.

4. CONFLICTS OF INTEREST

- (i) Contractors shall disclose in their response to this Application and on an ongoing basis thereafter any conflict of interest, real or perceived, that exists now or may exist in the future, with respect to any matters in this Application, any invitation to submit competitive bids and resulting contract thereto, or in relation to Toronto Hydro, including the disclosure of any personal or business relationships between the contractor, or its directors, officers, employees, agents, design, architectural or consulting firms, and contractors and Toronto Hydro or its directors, officers, employees, agents and contractors.

5. EVALUATION

- (i) All Applications will be evaluated based on any number of criteria which Toronto Hydro, in its sole discretion, considers relevant, including, without limitation, the following:
 - (a) technical capacity, skill and competence of the contractor;
 - (b) applicable experience;
 - (c) financial strength;
 - (d) health and safety performance;

- (e) work load;
 - (f) reputation;
 - (g) previous working relationship, if any, with Toronto Hydro, including any outstanding, unresolved, or prior disputes, claims, actions or other proceedings between the contractor and Toronto Hydro; and
 - (h) any other factor or criterion that Toronto Hydro, in its sole discretion, deems relevant.
- (ii) Toronto Hydro is not obligated to inform contractors of the relative weight to be given to any particular evaluation criterion, or to provide reasons to any contractor with respect to any exercise of Toronto Hydro's discretion.

6. INVESTIGATION

Toronto Hydro may, at any time, investigate and verify the information submitted by a contractor and any other relevant information from the sources identified by the contractor in this Application and/or other independent sources.

7. PERSONAL INFORMATION

If, and to the extent that any information provided in this Application is personal information of an identifiable individual, the contractor represents and warrants that it has obtained any and all consents required under applicable privacy laws to permit Toronto Hydro to collect such information from the contractor and to use such information in considering the Application.

8. CONFIDENTIALITY

All information submitted by a contractor in accordance with the requirements of this Application will be treated as confidential by Toronto Hydro and used only for the purpose of establishing the contractor's ability to satisfy the requirements of the Application and will not be disclosed to any third party except as necessary to investigate and verify the information submitted by the contractor as set forth in Section 6 and process this Application or as permitted or required by law.

9. SELECTION OF CONTRACTORS

- (i) Contractors that satisfy the criteria and conditions of this Application will be notified by Toronto Hydro of their selection as contractors pre-qualified to submit competitive bids when, and if, competitive bid requests are made by Toronto Hydro for specified types of work.
- (ii) Contractors that are pre-qualified to submit competitive bids shall immediately notify THESL's Procurement Manager at the address set forth in Section 12 of any changes

at any time to the information submitted in the Application. Without limiting the generality of the foregoing, if a contractor changes its name, it shall provide THESL's Procurement Manager with a detailed explanation for the change of name.

- (iii) Toronto Hydro may, in its sole discretion, temporarily or permanently suspend or disqualify a pre-qualified contractor that fails to maintain compliance with:
 - (a) any statutes, regulations, by-laws, codes, standards or guidelines of municipal, provincial or federal authorities (collectively "Applicable Laws") that are applicable to this Application or the contract for the work on a particular project, including, without limitation, all applicable Ontario Energy Board codes, rules, or guidelines; or
 - (b) the rules, guidelines or specifications established by Toronto Hydro from time to time of which the contractor has been advised; or
 - (c) the requirements of this Application.

10. NO LIABILITY

All costs, expenses, losses, damages or liabilities that may be incurred by the contractor as a result of or arising out of submitting this Application or Toronto Hydro's rejection of this Application or the contractor's subsequent temporary or permanent disqualification or suspension as a pre-qualified contractor shall be borne entirely by the contractor and Toronto Hydro and its directors, officers, employees, agents and contractors shall not be liable for any costs, losses, damages or liabilities whatsoever in the event the contractor is not pre-qualified, or the contractor is subsequently temporarily or permanently suspended or disqualified as a pre-qualified contractor.

11. COMPETITIVE BIDS

Toronto Hydro expressly reserves the right, in its sole judgement and discretion, to determine the pre-qualified contractors that will be invited to submit competitive bids for a project, if any. Upon any such invitation, Toronto Hydro may consider factors, other than those listed in this Application, that indicate the contractor's ability to successfully execute a proposed project. The criteria in this Application are minimum criteria and do not limit the criteria and conditions in the competitive bid requestor resulting contract.

12. ENQUIRIES

All questions regarding this Application shall be directed to THESL's representative in writing as follows:

Liz Healey
Supply Chain Specialist
Toronto Hydro-Electric System Limited
500 Commissioners Street
Toronto, Ontario, M4M 3N7
Telephone: (416) 542-2906
Fax: (416) 542-2663
Email: lizhealey@torontohydro.com

INITIAL CONTRACTOR PRE-QUALIFICATION CERTIFICATE ("Certificate")

I, the undersigned, in submitting this Application on behalf of [REDACTED] (the "Contractor"), do hereby certify, on behalf of the Contractor and not in my personal capacity, that:

1. I understand that the purpose of pre-qualification is to ensure that all contractors interested in submitting competitive bids to Toronto Hydro, as a fundamental condition of being permitted to bid have the necessary minimum technical, financial and managerial competence to execute the work, and that Toronto Hydro may conduct additional pre-qualifications for specific projects.
2. I understand that Toronto Hydro may, in its sole discretion, temporarily or permanently suspend or disqualify a pre-qualified Contractor that fails to maintain compliance with:
 - a. any Applicable Laws that are applicable to this Application or the contract for the work on a particular project, including, without limitation, all applicable Ontario Energy Board codes, rules, or guidelines; or
 - b. the rules, guidelines or specifications established by Toronto Hydro from time to time of which the contractor has been advised; or
 - c. the requirements of this Application.
3. I understand that the information submitted in the accompanying Application shall be treated as confidential, used only for the purpose of determining the Contractor's qualification to submit a competitive bids in response to a competitive bid request issued by Toronto Hydro and will not be disclosed to any third party except as necessary to investigate and verify the information submitted by the Contractor as set forth in Section 6 and process this Application or as permitted or required by law.
4. I understand that the information submitted in the accompanying Application shall become the property of Toronto Hydro and will not be returned.
5. I understand and agree that pre-qualification does not entitle the Contractor to be invited to submit competitive bids for any or all of Toronto Hydro's projects and that Toronto Hydro expressly reserves the right, in its sole judgment and discretion, to determine which of the pre-qualified contractors will be invited to submit competitive bids.
6. I understand that the information submitted herein is subject to verification and that additional relevant information may be obtained, if required, from references named herein and/or other independent sources. I hereby consent to these sources providing this information and to Toronto Hydro independently verifying this information.
7. I represent and warrant that the Contractor has obtained any and all consents required under applicable personal information laws to provide the personal information of identifiable individuals in this Application and to permit Toronto Hydro to collect such information and use such information in considering the Application.
8. I understand and agree that it will be the Contractor's obligation to ensure any subcontractors retained by it shall pre-qualify in accordance with the requirements of this Application prior to performing any work for Toronto Hydro.

9. Any and all potential conflicts of interest between the Contractor and Toronto Hydro are expressly identified and fully disclosed by the Contractor in the Contractor's Application, including the disclosure of any personal or business relationships between the Contractor, or its directors, officers, employees, agents and contractors and Toronto Hydro or its directors, officers, employees, agents and contractors.
10. I understand and agree that all costs, expenses, losses, damages or liabilities that may be incurred by the Contractor as a result of or arising out of submitting this Application or Toronto Hydro's rejection of this Application or the Contractor's subsequent temporary or permanent disqualification or suspension as a pre-qualified contractor shall be borne entirely by the Contractor and that Toronto Hydro and its directors, officers, employees, agents and contractors shall not be liable for any costs, losses, damages or liabilities whatsoever in the event the Contractor is not pre-qualified, or the Contractor is subsequently temporarily or permanently suspended or disqualified as a pre-qualified contractor.
11. I understand that the accompanying Application submitted by the Contractor may be disqualified at any time if this Certificate is found not to be true and complete in every respect.
12. I have read, understand and agree to comply with the statements made in this Certificate.
13. I am duly authorized by the Contractor to sign this Certificate, and to submit the accompanying Application, on behalf of the Contractor.

Contractor's Full Corporate/Business/Partnership Name

Authorized Representative's Signature

Name

Title

Date

Section One: Project Categories

Contractors shall identify the project category or categories for which the contractors are seeking to be pre-qualified by marking the applicable boxes:

Category and Project Type	Contract Value	
	Under \$250,000	Equal to or Over \$250,000
<u>Civil Hydro-Electric Distribution Work:</u>	<input type="checkbox"/>	<input type="checkbox"/>
• Duct & Cable Chamber Systems		
• Road Crossings		
• Submersible Vaults		
• Building Vaults		
• Vault & Cable Chamber Drains		
• Padmounts		
• New Residential Subdivisions		
• Industrial Subdivisions		
• Test Holes		
• FRE Duct Installations (including bridges)		
<u>Underground Hydro-Electric Distribution Work (Primary):</u>	<input type="checkbox"/>	<input type="checkbox"/>
• Splicing & Terminating		
• Submersible Vaults		
• Building Vaults		
• Padmounts		
• Cable Pulling		
• Underground Rebuilds & Voltage Conversions		
<u>Underground Hydro-Electric Distribution Work (Secondary):</u>	<input type="checkbox"/>	<input type="checkbox"/>
• Service Conversion Overhead to Underground		
• Electrical Room Rework		
• Terminating In-Tap Boxes & Meter-bases		
• Secondary Splicing		
• Cable Pulling		
<u>Overhead Hydro-Electric Distribution Work:</u>	<input type="checkbox"/>	<input type="checkbox"/>
• Primary & Secondary Line Work		
• Secondary Services		
• Pole Installations, Guying & Anchoring		
<u>Miscellaneous Work:</u>		
• Insulator Washing		<input type="checkbox"/>
• Wood Pole Testing & Treatment		<input type="checkbox"/>
• Tree Trimming and Vegetation Management		<input type="checkbox"/>
• Transformer Vault / Cable Chamber Washing		<input type="checkbox"/>
• Submersible Vault Washing		<input type="checkbox"/>
• Pumping contaminated water out of vaults and cable chambers		<input type="checkbox"/>
•		<input type="checkbox"/>
•		<input type="checkbox"/>

SECTION TWO: BUSINESS INFORMATION

If required, contractors may supplement the information requested with an additional sheet(s) marked as "Appendix A – Business Information".

Business Contact Information			
Business name (Legal Name / Operating name):			
Phone:	Fax:	Email:	Internet address:
Registered company address:			
City:	Province:	Postal Code:	
Contact person:			
Title:	Phone:	Fax:	Email:
Year business established:			
Quality assurance program(s): Yes/No		Date of implementation:	
<i>(submit a copy and any related documentation thereto)</i>			
Number of full-time employees:		Union affiliation:	
Organizational chart: Yes/No <i>(submit)</i>		Mission statement: Yes/No <i>(submit)</i>	
Legal Structure			
Sole Proprietorship: <input type="checkbox"/> Partnership: <input type="checkbox"/> Corporation: <input type="checkbox"/> Subsidiary: <input type="checkbox"/> Other: <input type="checkbox"/> (specify)			
If a corporation, is it <input type="checkbox"/> Federal <input type="checkbox"/> Ontario <input type="checkbox"/> Other (specify)			Incorporation number:
<i>(submit articles of incorporation)</i>			
If subsidiary, provide the legal/operating name of the parent company and submit the parent company's articles of incorporation:			
Parent company registered address:			
City:	Province:	Postal Code:	
Year parent company established:			
Officers/Directors/Partners/Principals			
1. Name:	Title:	Phone:	

2. Name:	Title:	Phone:
3. Name:	Title:	Phone:
4. Name:	Title:	Phone:
5. Name:	Title:	Phone:
6. Name:	Title:	Phone:

Property Information

Business property owned? Yes/No	How long at current address?
Business property leased? Yes/No (<i>submit landlord contact information</i>)	

SECTION THREE: FINANCIAL INFORMATION

If required, contractors may supplement the information requested with an additional sheet(s) marked as "Appendix B – Financial Information".

Financial References			
Bank name:		Bank number:	
Address:			
City:	Province:	Postal Code:	Phone:
Contact person:		Title:	Phone:
Type of account: <input type="checkbox"/> Savings <input type="checkbox"/> Chequing <input type="checkbox"/> Other (specify)			
Account number:			
Transit number:			
Submit financial statements for the shorter of the last three (3) years and the number of years in business:			
Insurance References			
Insurance company name:			
Address:			
City:	Province:	Postal Code:	Phone:
Contact person:		Title:	Phone:
Contractor has a minimum amount of \$5,000,000 in comprehensive general liability insurance per occurrence: <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, indicate the minimum amount of coverage per occurrence: <i>(submit a copy of the insurance certificate)</i>			
Contractor has a minimum amount of \$2,000,000 in automobile liability insurance per occurrence: <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, indicate the minimum amount of coverage per occurrence: <i>(submit a copy of the insurance certificate)</i>			
Bonding Company References			
Bonding company name:			
Address:			
City:	Province:	Postal Code:	Phone:
Contact person:		Title:	Phone:
Indicate performance bonding limits: <i>(submit letter from the bonding company indicating total bonding limit and confirming the availability of bonding)</i>			

Primary Supplier References

1. Company name:			Contact person:		Title:	
Address:						
City:		Province:		Postal Code:		
Phone:		Fax:		Email:		
2. Company name:			Contact person:		Title:	
Address:						
City:		Province:		Postal Code:		
Phone:		Fax:		Email:		
3. Company name:			Contact person:		Title:	
Address:						
City:		Province:		Postal Code:		
Phone:		Fax:		Email:		
4. Company name:			Contact person:		Title:	
Address:						
City:		Province:		Postal Code:		
Phone:		Fax:		Email:		
5. Company name:			Contact person:		Title:	
Address:						
City:		Province:		Postal Code:		
Phone:		Fax:		Email:		

SECTION FOUR: PROJECTS COMPLETED

Contractors shall provide a minimum of five (5) project references, from at least two (2) different sources, for the projects completed as of the date of submitting this Application. If required, Contractors may supplement the information requested with an additional sheet(s) marked as "Appendix C – Projects Completed".

1. Project title:		
Location:		Description:
Duration of project:		Date completed:
Project owner:		Project value: \$
Contact Person:	Title:	Phone:
2. Project title:		
Location:		Description:
Duration of project:		Date completed:
Project owner:		Project value: \$
Contact Person:	Title:	Phone:
3, Project title:		
Location:		Description:
Duration of project:		Date completed:
Project owner:		Project value: \$
Contact Person:	Title:	Phone:
4. Project title:		
Location:		Description:
Duration of project:		Date completed:
Project owner:		Project value: \$
Contact person:	Title:	Phone:
5. Project title:		
Location:		Description:
Duration of project:		Date completed:
Project owner:		Project value:
Contact person:	Title:	Phone:

SECTION FIVE: PROJECTS UNDERWAY

Contractors shall provide references of the projects underway as of the date of submitting this Application. If required, contractors may supplement the information requested with an additional sheet(s) marked as "Appendix D – Projects Underway".

1. Project title:		
Location:		Description:
Duration of project:		Date completed:
Project owner:		Project value: \$
Contact Person:	Title:	Phone:
2. Project title:		
Location:		Description:
Duration of project:		Date completed:
Project owner:		Project value: \$
Contact Person:	Title:	Phone:
3, Project title:		
Location:		Description:
Duration of project:		Date completed:
Project owner:		Project value: \$
Contact Person:	Title:	Phone:
4. Project title:		
Location:		Description:
Duration of project:		Date completed:
Project owner:		Project value: \$
Contact person:	Title:	Phone:
5. Project title:		
Location:		Description:
Duration of project:		Date completed:
Project owner:		Project value:
Contact Person:	Title:	Phone:

SECTION SIX: HEALTH AND SAFETY INFORMATION

1. REQUIRED DOCUMENTATION

- (i) Contractors shall submit the following information with their Application:
 - (a) a signed and dated copy of the contractor's health and safety policy, which complies with the requirements set out in the *Occupational Health and Safety Act* and the regulations thereunder, as amended (the "OHS");
 - (b) a description of the contractor's health and safety program;
 - (c) a description of the training programs provided to the contractor's employees;
 - (d) the training records of each employee that may perform work on the project(s);
 - (e) a written statement certifying that each of the contractor's supervisors that may perform work on the project(s) are "competent persons", as that term is defined in the OHS, and that each of the contractor's employees that may perform work on the project(s) are "competent workers" as that term is defined in the OHS;
 - (f) a copy of the contractor's Workplace Safety and Insurance Board ("WSIB") NEER/CAD injury experience report for the current and previous year;
 - (g) the names and WSIB certification numbers of the contractor's Joint Health and Safety Committee co-chairs;
 - (h) a WSIB Cost and Frequency Report for the shorter of the last five (5) years and the number of years the contractor has been in business;
 - (i) a list of all supervisors who will co-ordinate work and safety during the project; and
 - (j) a statement certifying that the contractor is a member in good standing of the Electrical and Utilities Safety Association ("EUSA").

2. CERTIFICATES

- (i) Contractors shall submit any certificates or licenses required by all Applicable Laws that are applicable to this Application, including, without limitation:
 - (a) a copy of the contractor's WSIB Certificate of Clearance;
 - (b) Lineman Ontario Provincial Classification or Journeyman Certificates issued by the Municipal Electric Association ("MEA") for each employee;
 - (c) Electrical Awareness Certificates issued by the EUSA for each employee;
 - (d) a copy of the contractor's Commercial Vehicle Operator Certificate issued by the Ministry of Transportation (Ontario) (the "MTO");

- (e) certificates for dielectric, acoustic and stability tests certified in accordance with the standards of the Canadian Standards Association (the "CSA"), and specifically CSA standard C225-M1988 and/or CSA standard C225-00, or such other standards as may be applicable at the time of submitting the Application;
- (f) documentation for each commercial vehicle, trailer, or combination with weight in excess of 4500 kg that will or may be used on a project, certifying that they have received a valid Periodic Mandatory Commercial Vehicle Inspection ("PMVCI") sticker pursuant to the guidelines of the MTO;
- (g) a Certificate of Approval for the Facilitation of Asbestos Removal issued by the Ministry of the Environment (Ontario); and
- (h) such other certificates or licenses required by any Applicable Laws or industry standards that may apply to this Application.

SECTION SEVEN: MINIMUM EMPLOYEE TRAINING REQUIREMENTS

Contractors shall identify the areas of training its employees have completed by marking the applicable boxes.

REQUIRED TRAINING	CIVIL	ELECTRICAL < 750 VOLTS	ELECTRICAL > 750 VOLTS	TREE TRIMMING	INSULATOR/ VAULT WASHING	INFRARED INSPECTION
MEA Journeyman	N/A*					
Electrical	N/A			N/A	N/A	N/A
Electrical Safety Awareness						
First Aid						
CPR						
Rescue Techniques						
WHMIS						
Confined Space				N/A		
Asbestos Awareness				N/A	N/A	N/A
Traffic Control Site Management						
Excavation/Shoring		N/A	N/A	N/A	N/A	N/A
Operation of Construction/ Utility Vehicles			N/A			N/A
OHSA						
EUSA Rules and Policies						

* N/A means "Not Applicable".

