



**TORONTO HYDRO-ELECTRIC SYSTEM LIMITED**

**Construction Contractor Qualification Application  
for Contestable Work**

**Version 1.3**

**November 12, 2008**

# INSTRUCTIONS TO CONTRACTORS

## 1. INTRODUCTION

- (i) This Construction Contractor Qualification Application (the "Application ") is being issued and administered by the Toronto Hydro-Electric System Limited ("THESL") Supply Chain Services on behalf of THESL, "Toronto Hydro"), in order to Qualify one or more contractors that may result, if approved by Toronto Hydro, in contractors being approved to undertake construction of contestable work for customers as defined in the Toronto Hydro Conditions of Service and as described in relation to the project categories listed herein.
- (ii) A contractor's designation as Qualified signifies that the Applicant has met the minimum requirements established by Toronto Hydro, and does not mean that the contractor is on equal footing with other Qualified contractors.
- (iii) Toronto Hydro reserves the right, in its sole discretion, to seek out and obtain any additional information to confirm the qualification of the Applicant for specific categories of work.

## 2. QUALIFICATION

- (i) Contractors interested in being designated as Qualified for purposes of undertaking contestable work for customers, shall complete and submit the following information to Toronto Hydro no later than 30 business days prior to their selection by a customer to undertake contestable work:
  - a) a duly signed copy of the Contractor Qualification Application Certificate;
  - b) Section One – identification of project categories of interest;
  - c) Section Two – the contractor's business information;
  - d) Section Three – references for construction projects the contractor has completed;
  - e) Section Four – health and safety information;
  - f) Section Five – minimum employee training requirements;
  - g) Section Six – vehicle and equipment description capabilities.
  - h) Section Seven – financial information
  - i) Details describing the Contractor's Quality Assurance Program
- (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 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 been Qualified for contestable work and wish to renew their status as Qualified contractors shall complete and submit the Application, as amended from time to time by Toronto Hydro, in its sole discretion, every 18 months or such shorter period of time as determined by Toronto Hydro, in its sole discretion.

### **3. SUBCONTRACTORS**

If Toronto Hydro elects, in its sole discretion, to approve the contractor as a Qualified contractor for specified categories of work, the contractor shall be responsible for ensuring that any subcontractors that may be retained by the contractor are Qualified in accordance with the requirements of this Application prior to performing any contestable work. Any subcontractors (still requiring qualification approval by Toronto Hydro) must also submit an Application requesting to be designated as Qualified to undertake contestable work as described herein. In such a case, the contractor will submit along with their Application, separate Applications for any subcontractors the contractor may retain for specified categories of work.

### **4. CONFLICTS OF INTEREST**

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, and resulting qualification approval 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) health and safety performance;
  - (d) financial strength
  - (e) 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 personal information laws to permit Toronto Hydro to collect such information from the contractor and to use such information in considering the Application.

## **8. CONFIDENTIALITY**

(i) 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 3 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 designation as contractors Qualified to undertake the specified categories of contestable construction work. The designation as Qualified shall be in effect for a period not to exceed 18 months after which time the contractor must re-submit an Application.
- (ii) Contractors that are designated as Qualified to undertake contestable work shall immediately notify THESL's Supply Chain Services contact 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 Supply Chain Services contact with a detailed explanation for the change of name.
- (iii) Toronto Hydro may, in its sole discretion, temporarily or permanently disqualify or suspend a 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 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 Qualified, or the contractor is subsequently temporarily or permanently disqualified or suspended as a Qualified contractor.

## **11 APPROVAL OF QUALIFICATIONS FOR SPECIFIED CATEGORIES OF WORK**

Contractors designated as Qualified shall be so designated only for contestable work for customers for the project categories and project types described by the contractor in the Application as set out in Section One.

## **12. SUBMISSION OF APPLICATIONS AND ENQUIRIES**

Contractors shall submit Qualification Applications to undertake contestable work to THESL's Supply Chain Services representative described below. Questions regarding Applications shall be directed to THESL's Supply Chain Services representative in writing as follows:

Alyson Slapkauskas  
Supply Chain Services  
Toronto Hydro-Electric System Limited  
500 Commissioners Street  
Toronto, Ontario,  
M4M 3N7  
Telephone: (416) 542-3075  
Fax: (416) 542-2663  
Email: [aslapkauskas@torontohydro.com](mailto:aslapkauskas@torontohydro.com)

## **CONTRACTOR QUALIFICATION APPLICATION ("Certificate")**

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

1. I understand that the purpose of qualification is to ensure that all contractors interested in performing contestable work have the necessary minimum technical 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, may refuse to qualify a contractor, or temporarily or permanently disqualify or suspend a 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 perform contestable work 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 3 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 qualification to perform contestable work does not entitle the Contractor to be invited to submit formal tenders for any of Toronto Hydro's projects.
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 THESL 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 qualify in accordance with the requirements of this Application prior to performing any contestable work.
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 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 qualified, or the Contractor is subsequently temporarily or permanently disqualified or suspended as a 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.
14. I understand and agree that Toronto Hydro does not make any representation or warranty regarding any contractor selected by the Customer to do any work regardless of whether the contractor has completed the requirements set by Toronto Hydro or not and shall have no liability to the Customer in respect of such work.

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Contractor's Full Corporate/Business/Partnership Name

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Authorized Representative's Signature

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Name

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Title

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Date

## **Section One: Project Categories**

### **NEW INSTALLATIONS ONLY**

Contractors shall identify the project category or categories for which the contractors are seeking to be Qualified for new installations only by marking the applicable boxes:

#### **Category and Project Type of New Installations Only**

##### Civil Hydro-Electric Distribution Work:

- 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)

##### Underground Hydro-Electric Distribution Work (Primary):

- Splicing & Terminating
- Submersible Vaults
- Building Vaults
- Padmounts
- Cable Pulling
- New Underground Rebuilds & Voltage Conversions

##### Underground Hydro-Electric Distribution Work (Secondary):

- Service Conversion Overhead to Underground
- Electrical Room Rework
- Terminating In-Tap Boxes & Meter-bases
- Secondary Splicing
- Cable Pulling

##### Overhead Hydro-Electric Distribution Work:

- Primary & Secondary Line Work
- Secondary Services
- Pole Installations, Guying & Anchoring

## SECTION TWO: BUSINESS INFORMATION

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

<b>Business Contact Information</b>			
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>	
<b>Officers/Directors/Partners/Principals</b>			
1. Name:	Title:	Phone:	
2. Name:	Title:	Phone:	
3. Name:	Title:	Phone:	
4. Name:	Title:	Phone:	
5. Name:	Title:	Phone:	
6. Name:	Title:	Phone:	

## SECTION THREE: 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 FOUR: 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 "OHSA");
  - (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 OHSA, 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 OHSA;
  - (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") or current equivalent 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) such other certificates or licenses required by any Applicable Laws or industry standards that may apply to this Application.

## SECTION FIVE: 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 UNDERGROUND	ELECTRICAL > 750 VOLTS UNDERGROUND	ELECTRICAL < 750 VOLTS OVERHEAD	ELECTRICAL > 750 VOLTS OVERHEAD	
MEA-Certified Journeyman	N/A*					
Electrical Safety Awareness						
Excavation/Shoring		N/A	N/A	N/A	N/A	
OHSA						
EUSA Rules	N/A					

\* N/A means "Not Applicable"



## SECTION SEVEN: FINANCIAL INFORMATION

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

<b>Financial References</b>			
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:			
<b>Insurance References</b>			
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>			
<b>Bonding Company References</b>			
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: