



# Request for Proposals

## Highway 97 Assessment of Existing Infrastructure

Ministry of Transportation and Infrastructure Request for Proposals Number: RFP-353CS0736

Issue date: November 14, 2008

**Closing Time:** Proposal must be received **before 2:00 PM Pacific Time on: December 5, 2008**

**GOVERNMENT CONTACT PERSON:** All enquiries related to this Request for Proposals (RFP), including any requests for information and clarification, are to be directed, in writing, to the following person who will respond if time permits. Information obtained from any other source is not official and should not be relied upon. Enquiries and any responses will be recorded and may be distributed to all Proponents at the Province's option.

Bill Rose  
 Project Manager  
 #213, 1011 – 4<sup>th</sup> Avenue, Prince George, BC V2L 3H9  
 Fax: 250-565-6065  
 Email: Bill.Rose@ gov.bc.ca

### DELIVERY OF PROPOSALS

Proposals must not be sent by mail, facsimile or e-mail. Proposals are to be submitted to the closing location as follows:  
 Six complete hard-copies must be delivered by hand or courier to:

Ministry of Transportation and Infrastructure  
 #213, 1011 – 4<sup>th</sup> Avenue  
 Prince George, BC V2L 3H9  
 Attention: Bill Rose, Project Manager

Proposal envelopes should be clearly marked with the name and address of the Proponent, the Request for Proposals number, and the project or program title.

### PROONENTS' MEETING

A Proponents' meeting **will not** be held.

### PROONENT SECTION:

**For hard-copy proposals**, a person authorized to sign on behalf of the Proponent **must** complete and sign the Proponent Section (below), leaving the rest of this page otherwise unaltered, and include the originally-signed and completed page with the first copy of the proposal. **For electronic proposals**, all parts of the Proponent Section (below) must be completed except the signature field, as the BC Bid e-bidding key is deemed to be an original signature. The rest of this page must be otherwise unaltered and submitted as part of your proposal.

**The enclosed proposal is submitted in response to the above-referenced Request for Proposals, including any addenda. Through submission of this proposal we agree to all of the terms and conditions of the Request for Proposals and agree that any inconsistent provisions in our proposal will be as if not written and do not exist. We have carefully read and examined the Request for Proposals, including the Administrative Section, and have conducted such other investigations as were prudent and reasonable in preparing the proposal. We agree to be bound by statements and representations made in our proposal.**

Signature of Authorized Representative:	Legal Name of Proponent (and Doing Business As Name, if applicable):
Printed Name of Authorized Representative:	Address of Proponent:
Title:	
Date:	Authorized Representative phone, fax or email address (if available):

## Table of Contents

---

<b>A.</b>	<b>DEFINITIONS AND ADMINISTRATIVE REQUIREMENTS .....</b>	<b>3</b>
<b>B.</b>	<b>REQUIREMENTS AND RESPONSE .....</b>	<b>5</b>
<b>1.</b>	<b>SUMMARY OF THE REQUIREMENT .....</b>	<b>5</b>
<b>2.</b>	<b>MINISTRY SITUATION/OVERVIEW .....</b>	<b>5</b>
<b>3.</b>	<b>REQUIREMENTS .....</b>	<b>5</b>
<b>4.</b>	<b>EVALUATION .....</b>	<b>5</b>
<b>5.</b>	<b>PROPOSAL FORMAT .....</b>	<b>6</b>
<b>6.</b>	<b>PROONENT RESPONSE .....</b>	<b>6</b>
<b>APPENDIX A</b>	<b>REFERENCE MATERIAL AVAILABLE FOR REVIEW .....</b>	<b>6</b>
<b>APPENDIX B</b>	<b>CONSULTANT PROPOSAL EVALUATION.....</b>	<b>6</b>
<b>APPENDIX C</b>	<b>PROPOSAL BUSINESS PROFILE INFORMATION .....</b>	<b>6</b>
<b>CONTRACT FORMS</b>	<b>.....</b>	<b>6</b>

## A. Definitions and Administrative Requirements

### 1. Definitions

Throughout this Request for Proposals, the following definitions apply:

- a) "CBS" means the Common Business Services of the Ministry of Labour and Citizens' Services;
- b) "Contract" means the written agreement resulting from this Request for Proposals executed by the Province and the Contractor;
- c) "Contractor" means the successful Proponent to this Request for Proposals who enters into a written Contract with the Province;
- d) "Ministry" means Ministry of Transportation and Infrastructure;
- e) "must", or "mandatory" means a requirement that must be met in order for a proposal to receive consideration;
- f) "Proponent" means an individual or a company that submits, or intends to submit, a proposal in response to this Request for Proposals;
- g) "Province" means Her Majesty the Queen in Right of the Province of British Columbia and includes the CBS division and the Ministry;
- h) "Request for Proposals" or "RFP" means the process described in this document; and
- i) "should" or "desirable" means a requirement having a significant degree of importance to the objectives of the Request for Proposals.

### 2. Terms and Conditions

The following terms and conditions will apply to this Request for Proposals. Submission of a proposal in response to this Request for Proposals indicates acceptance of all the terms that follow and that are included in any addenda issued by the Province. Provisions in proposals that contradict any of the terms of this Request for Proposals will be as if not written and do not exist.

### 3. Additional Information Regarding the Request for Proposals

All subsequent information regarding this Request for Proposals, including changes made to this document will be posted on the BC Bid website at [www.bcbid.ca](http://www.bcbid.ca). It is the sole responsibility of the Proponent to check for amendments on the BC Bid website.

### 4. Late Proposals

Proposals will be marked with their receipt time at the closing location. Only complete proposals received and marked before closing time will be considered to have been received on time. Hard-copies of late proposals will not be accepted and will be returned to the Proponent. Electronic proposals that are received late will be marked late and will not be considered or evaluated. In the event of a dispute, the proposal receipt time as recorded at the closing location shall prevail whether accurate or not.

### 5. Eligibility

- a) Proposals will not be evaluated if the Proponent's current or past corporate or other interests may, in the Province's opinion, give rise to a conflict of interest in connection with the project described in this Request for Proposals. This includes, but is not limited to, involvement by a Proponent in the preparation of this Request for Proposals. If a Proponent is in doubt as to whether there might be a conflict of interest, the Proponent should consult with the Government Contact Person listed on page 1 prior to submitting a proposal.

- b) Proposals from not-for-profit agencies will be evaluated against the same criteria as those received from any other Proponents.

### 6. Evaluation

Evaluation of proposals will be by a committee formed by the Province and may include employees and contractors of the Province. All personnel will be bound by the same standards of confidentiality. The Province's intent is to enter into a Contract with the Proponent who has the highest overall ranking.

### 7. Negotiation Delay

If a written Contract cannot be negotiated within thirty days of notification of the successful Proponent, the Province may, at its sole discretion at any time thereafter, terminate negotiations with that Proponent and either negotiate a Contract with the next qualified Proponent or choose to terminate the Request for Proposals process and not enter into a Contract with any of the Proponents.

### 8. Debriefing

At the conclusion of the Request for Proposals process, all Proponents will be notified. Unsuccessful Proponents may request a debriefing meeting with the Province.

### 9. Alternative Solutions

If alternative solutions are offered, please submit the information in the same format, as a separate proposal.

### 10. Changes to Proposals

By submission of a clear and detailed written notice, the Proponent may amend or withdraw its proposal prior to the closing date and time. Upon closing time, all proposals become irrevocable. The Proponent will not change the wording of its proposal after closing and no words or comments will be added to the proposal unless requested by the Province for purposes of clarification.

### 11. Proponents' Expenses

Proponents are solely responsible for their own expenses in preparing a proposal and for subsequent negotiations with the Province, if any. If the Province elects to reject all proposals, the Province will not be liable to any Proponent for any claims, whether for costs or damages incurred by the Proponent in preparing the proposal, loss of anticipated profit in connection with any final Contract, or any other matter whatsoever.

### 12. Limitation of Damages

Further to the preceding paragraph, the Proponent, by submitting a proposal, agrees that it will not claim damages, for whatever reason, relating to the Contract or in respect of the competitive process, in excess of an amount equivalent to the reasonable costs incurred by the Proponent in preparing its proposal and the Proponent, by submitting a proposal, waives any claim for loss of profits if no Contract is made with the Proponent.

### 13. Proposal Validity

Proposals will be open for acceptance for at least 90 days after the closing date.

### 14. Firm Pricing

Prices will be firm for the entire Contract period unless this Request for Proposals specifically states otherwise.

### 15. Currency and Taxes

Prices quoted are to be:

- a) in Canadian dollars;
- b) inclusive of duty, where applicable; FOB destination, delivery charges included where applicable; and
- c) exclusive of Goods and Services Tax and Provincial Sales Tax.

## **16. Completeness of Proposal**

By submission of a proposal the Proponent warrants that, if this Request for Proposals is to design, create or provide a system or manage a program, all components required to run the system or manage the program have been identified in the proposal or will be provided by the Contractor at no charge.

## **17. Sub-Contracting**

- a) Using a sub-contractor (who should be clearly identified in the proposal) is acceptable. This includes a joint submission by two Proponents having no formal corporate links. However, in this case, one of these Proponents must be prepared to take overall responsibility for successful performance of the Contract and this should be clearly defined in the proposal.
- b) Sub-contracting to any firm or individual whose current or past corporate or other interests may, in the Province's opinion, give rise to a conflict of interest in connection with the project or program described in this Request for Proposals will not be permitted. This includes, but is not limited to, any firm or individual involved in the preparation of this Request for Proposals. If a Proponent is in doubt as to whether a proposed subcontractor gives rise to a conflict of interest, the Proponent should consult with the Government Contact Person listed on page 1 prior to submitting a proposal.
- c) Where applicable, the names of approved sub-contractors listed in the proposal will be included in the Contract. No additional subcontractors will be added, nor other changes made, to this list in the Contract without the written consent of the Province.

## **18. Acceptance of Proposals**

- a) This Request for Proposals should not be construed as an agreement to purchase goods or services. The Province is not bound to enter into a Contract with the Proponent who submits the lowest priced proposal or with any Proponent. Proposals will be assessed in light of the evaluation criteria. The Province will be under no obligation to receive further information, whether written or oral, from any Proponent.
- b) Neither acceptance of a proposal nor execution of a Contract will constitute approval of any activity or development contemplated in any proposal that requires any approval, permit or license pursuant to any federal, provincial, regional district or municipal statute, regulation or by-law.

## **19. Definition of Contract**

Notice in writing to a Proponent that it has been identified as the successful Proponent and the subsequent full execution of a written Contract will constitute a Contract for the goods or services, and no Proponent will acquire any legal or equitable rights or privileges relative to the goods or services until the occurrence of both such events.

## **20. Contract**

By submission of a proposal, the Proponent agrees that should its proposal be successful the Proponent will enter into a Contract with the Province on the terms set out in Appendix B.

## **21. Liability for Errors**

While the Province has used considerable efforts to ensure information in this Request for Proposals is accurate, the information contained in this Request for Proposals is supplied solely as a guideline for Proponents. The information is not guaranteed or warranted to be accurate by the Province, nor is it necessarily comprehensive or exhaustive. Nothing in this Request for Proposals is intended to relieve Proponents from forming their own opinions and conclusions with respect to the matters addressed in this Request for Proposals.

## **22. Modification of Terms**

The Province reserves the right to modify the terms of this Request for Proposals at any time in its sole discretion. This includes the right to cancel this Request for Proposals at any time prior to entering into a Contract with the successful Proponent.

## **23. Ownership of Proposals**

All proposals submitted to the Province become the property of the Province. They will be received and held in confidence by the Province, subject to the provisions of the *Freedom of Information and Protection of Privacy Act* and this Request for Proposals.

## **24. Use of Request for Proposals**

Any portion of this document, or any information supplied by the Province in relation to this Request for Proposals may not be used or disclosed, for any purpose other than for the submission of proposals. Without limiting the generality of the foregoing, by submission of a proposal, the Proponent agrees to hold in confidence all information supplied by the Province in relation to this Request for Proposals.

## **25. Reciprocity**

The Province may consider and evaluate any proposals from other jurisdictions on the same basis that the government purchasing authorities in those jurisdictions would treat a similar proposal from a British Columbia supplier.

## **26. No Lobbying**

Proponents must not attempt to communicate directly or indirectly with any employee, contractor or representative of the Province, including the evaluation committee and any elected officials of the Province, or with members of the public or the media, about the project described in this Request for Proposals or otherwise in respect of the Request for Proposals, other than as expressly directed or permitted by the Province.

## **27. Collection and Use of Personal Information**

Proponents are solely responsible for familiarizing themselves, and ensuring that they comply, with the laws applicable to the collection and dissemination of information, including resumes and other personal information concerning employees and employees of any subcontractors. If this RFP requires Proponents to provide the Province with personal information of employees who have been included as resources in response to this RFP, Proponents will ensure that they have obtained written consent from each of those employees before forwarding such personal information to the Province. Such written consents are to specify that the personal information may be forwarded to the Province for the purposes of responding to this RFP and use by the Province for the purposes set out in the RFP. The Province may, at any time, request the original consents or copies of the original consents from Proponents, and upon such request being made, Proponents will immediately supply such originals or copies to the Province.

## **B. Requirements and Response**

### **1. Summary of the Requirement**

The successful proponent will conduct a comprehensive study focused on identifying and assessing the impacts of road feature dimension constraints along the Highway 97 corridor between Quesnel and Dawson Creek. This includes quantifying the current economic impacts due to road feature constraints, identifying the modifications to the road features required to accommodate commercial usage of this corridor, the cost to modify the constraining road features; such as railway overpasses, and the implications for economic growth and diversification over the next 15 years.

### **2. Ministry Situation/Overview**

All background information and project scope can be found in the Terms of Reference attached to this RFP.

The maximum budget for this project is \$100,000.00

### **3. Requirements**

All requirements can be found in the Terms of Reference attached to this RFP.

### **4. Evaluation**

This section details all of the mandatory and desirable criteria against which proposals will be evaluated. Proponents should ensure that they fully respond to all criteria in order to receive full consideration during evaluation.

#### **5.1 Mandatory Criteria**

Proposals not clearly demonstrating that they meet the following mandatory criteria will be excluded from further consideration during the evaluation process.

<b>Criteria</b>	
a)	The proposal must be received at the closing location before the specified closing time.
b)	The proposal must be in English and must not be sent by mail, facsimile or e-mail.
c)	Six hard copies of the proposal with one unaltered, completed Request for Proposals cover page including an originally-signed Proponent Section with the first copy.
d)	The proposal must include a Contract/Proposal Disclosure Budget as per Appendix C.

## 5.2 Desirable Criteria

Proposals meeting all of the mandatory criteria will be further assessed against desirable criteria as detailed under the Proposal Terms and Conditions which can be found in the Terms of Reference attached to this RFP.

## 5. Proposal Format

The following format, sequence, and instructions should be followed in order to provide consistency in Proponent response and ensure each proposal receives full consideration. All pages should be consecutively numbered.

- a) An unaltered and completed Request for Proposals cover page, including Proponent Section as per instructions.
- b) Table of contents including page numbers.
- c) A short (one or two page) summary of the key features of the proposal.
- d) The body of the proposal, including pricing, i.e. the “Proponent Response”.

## 6. Proponent Response

In order to receive full consideration during evaluation, proposals should include a detailed response as per the Proposal Terms and Conditions which can be found in the Terms of Reference attached to this RFP.

### **Appendix A Reference Material Available for Review**

Can be found in the Terms of Reference attached to this RFP.

### **Appendix B Consultant Proposal Evaluation**

Can be found in the Terms of Reference attached to this RFP.

### **Appendix C Proposal Business Profile Information**

Can be found in the Terms of Reference attached to this RFP.

## 7. Contract Forms

By submission of a proposal, the Proponent agrees that should its proposal be successful, the Proponent will enter into a Contract with the Province in accordance with the terms of the Ministry of Transportation and Infrastructure’s Consulting Services Contract and associated schedules, copies of which are available as attachments to this RFP.

### **Insurance**

The Consultant will be required to show proof of insurance coverage in accordance with the Ministry’s Insurance Specifications – INS80, a copy of which is available as an attachment to this RFP.

### **Registration with Worker’s Compensation Board**

The Consultant and any approved sub-consultant must be registered with the Workers’ Compensation Board (WCB), in which case WCB coverage must be maintained for the duration of the Contract. Prior to receiving any payment, the Contractor may be required to submit a WCB Clearance Letter indicating that all WCB assessments have been paid.