

Form A – Bid Submission Form

Hall 'A', West Corridor and Loading Dock Ramp Retrofits at Enercare Centre

1. Supplier Information

Please fill out the following information, naming one individual to be the Supplier's contact for the RFT process and for any clarifications or communication that might be necessary.	
Full Legal Name of Supplier:	
Any Other Relevant Name under which Supplier Carries on Business:	
Street Address:	
City, Province/State:	
Postal Code:	
Phone Number:	
Fax Number:	
Company Website (if any):	
Supplier Contact Name and Title:	
Supplier Contact Phone:	
Supplier Contact Fax:	
Supplier Contact Email:	

2. Acknowledgment of Binding Procurement Process

The Supplier:

- (a) acknowledges and agrees that the RFT process will be governed by the terms and conditions of the RFT and Exhibition Place's Policies and Legislation;
- (b) hereby confirms it has read and understand such terms and conditions;
- (c) hereby confirms its compliance with such terms and conditions; and
- (d) hereby confirms it has submitted a Bid Bond to the Procurement Contact in accordance with the requirements of Part 1 - Section 1.9.3 (Bid Bond)-

The Supplier further acknowledges and agrees that its Bid will remain legally binding for the Bid Validity Period, or if the Supplier is selected, as the Successful Supplier, until the Supplier executes a written Contract for the Work and furnishes all other documents required by Part 1 - Section 2.3.2 (Contract Execution).

3. Ability to Provide Work

The Supplier has carefully examined the RFT documents and has a clear and comprehensive knowledge of the Work required. The Supplier represents and warrants its ability to provide the

Work in accordance with the requirements of the RFT for the pricing set out in the Pricing Form completed by the Supplier.

4. Binding Pricing

The Supplier has submitted its pricing in accordance with the instructions in the RFT and in the Pricing Form. The Supplier confirms that the pricing information provided is accurate and binding for the Bid Validity Period. The Supplier acknowledges that any inaccurate, misleading or incomplete information, including withdrawn or altered pricing, could adversely impact the acceptance of its Bid, the forfeiture of its Bid Bond, or its eligibility for future work.

5. Addenda

The Supplier acknowledges all Addenda issued by Exhibition Place prior to the Deadline for Issuing Addenda set out in the RFT timetable in Part 1 - Section 1.5 (RFT Timetable) in accordance with Part 1 – 1.7 (Addenda).

Exhibition Place Policies

The Supplier has read, understood and agrees to comply with Exhibition Place's Policies and Legislation found on Exhibition Place's website (<https://www.toronto.ca/business-economy/doing-business-with-the-Exhibition-Place/understand-the-procurement-process/purchasing-policies-legislation>)

Without limiting the Supplier's acknowledgement of the Policies and Legislation, the Supplier makes the following declarations and agrees to provide Exhibition Place with ongoing disclosure of any changes to the declarations and information provided below during the RFT process or the term of any contract. The Supplier shall provide Exhibition Place with ongoing disclosure, should the Supplier be awarded the Contract and any of the information declared below changes.

(a) Supplier Code of Conduct

The Supplier declares that it has read and understands its obligations under the Supplier Code of Conduct contained in Article 13 Chapter 195, Purchasing, of Exhibition Place Municipal Code and certifies that the Supplier and its proposed Subcontractors have not engaged in any conduct prohibited under the Supplier Code of Conduct and, if successful, will provide the Work in compliance with the Supplier Code of Conduct. The Supplier confirms that any disclosures in respect of the Supplier Code of Conduct are set out below.

(i) Collusion and Unethical Bidding

If the Supplier declares an affiliation or other relationship with other Suppliers that might be seen to compromise the principle of fair competition, the Supplier must set out the details below. If no details are provided, the Supplier is deemed to declare that it has no such affiliation or relationship.

(ii) Illegality

If the Supplier declares any previous convictions of itself or its Affiliated Persons for collusion, Bid-rigging, price-fixing, bribery, fraud or other similar behaviours or practices prohibited under the *Criminal Code*, the *Competition Act* or other applicable law, for which they have not received a pardon, the Supplier must set out the details below. If no details are provided, the Supplier is deemed to declare that it or its Affiliated Persons have no such convictions.

(iii) Conflicts of Interest or Unfair Advantage

Potential Conflicts of Interest and unfair advantages include:

- (A) engaging current or former Exhibition Place employees or public office holders to take any part in the preparation of the Bid or the performance of the contract if awarded, any time within two (2) years of such individuals having left the employ or public office of Exhibition Place;
- (B) engaging any family members, friends or private business associates of any public office holder which may have, or appear to have, any influence on the procurement process, or subsequent performance of the contract;

- (C) prior involvement by the Supplier or Affiliated Persons in developing the technical specifications or other evaluation criteria for the RFT;
- (D) prior access to confidential Exhibition Place information by the Supplier, or Affiliated Persons, that is materially related to the RFT and that was not readily accessible to other prospective Suppliers; or
- (E) the Supplier or its Affiliated Persons are indebted to or engaged in ongoing or proposed litigation with Exhibition Place in relation to a previous contract.

For the purposes of section (A) above, Suppliers must disclose the names of all individuals (employees, advisers, or individuals acting in any other capacity at Exhibition Place) who (a) were employees of Exhibition Place within twenty-four (24) months prior to the Submission Deadline; and (b) disclose all pertinent details including whether such former Exhibition Place employees participated in the preparation of the Bid or will participate in the performance of the contract if awarded to the Supplier.

If the Supplier declares an actual or potential Conflict of Interest or unfair advantage, the Supplier must set out details of the actual or potential Conflict of Interest below. If no details are provided, the Supplier is deemed to declare that it has no actual or potential conflict of interest or unfair advantage.

(b) **Declaration of Compliance with Anti-Harassment/Discrimination Policy**

Organizations/individuals in Ontario, including Exhibition Place, have obligations under the *Ontario Human Rights Code*, the *Occupational Health and Safety Act*, the *Employment Standards Act*, the *Accessibility for Ontarians with Disabilities Act*, the *Criminal Code* and the *Charter of Rights and Freedoms*. In addition, Exhibition Place also has policies that prohibit discrimination on the additional grounds of political affiliation or level of literacy, subject to the requirements of the Charter. Organizations are required to have and post policies, programs, information, instruction, plans and/or other supports, and an appropriate internal process available to their employees and service recipients to prevent, address and remedy

discrimination, racism, harassment, hate and inaccessibility complaints under the applicable legislation and including the additional grounds of discrimination prohibited under Exhibition Place policy. Individuals are obliged to refrain from harassment/hate activity.

Exhibition Place requires all organizations and individuals that contract with Exhibition Place to sign the following Declaration of Compliance with Anti-Harassment/Discrimination Legislation & Exhibition Place Policy. By completing this Bid Submission Form, the Supplier declares as follows:

I/we uphold our obligations under the above provincial and federal legislation. In addition, I/we uphold our obligations under Exhibition Place policies which prohibit harassment/discrimination on a number of grounds including political affiliation and level of literacy.

WHERE LEGALLY MANDATED I/we have in place the necessary policies, programs, information, instruction, plans and/or other supports that are consistent with our obligations, and I/we have an internal process available to my/our employees and service recipients to prevent, address and remedy discrimination, racism, harassment, hate and inaccessibility complaints. I/we agree that I/we shall, upon the request of Exhibition Place, provide evidence of the policies, programs, information, instruction, plans and other supports and an appropriate internal complaint resolution process required under this Declaration which is sufficient to allow Exhibition Place to determine compliance. I/We acknowledge that failure to demonstrate compliance with this declaration to the satisfaction of the operating Exhibition Place Division, in consultation with Exhibition Place Solicitor, may result in the termination of the contract.

(c) **Declaration of Compliance with Exhibition Place's Fair Wage and Labour Trades Policy**

By completing this Bid Submission Form, the Supplier declares that the Supplier and its proposed Subcontractors agree to abide by Exhibition Place's [Fair Wage and Labour Trades Policy](#), as applicable.

(d) **Declaration of Compliance with Accessible Customer Service Training Requirements**

By completing this Bid Submission Form, the Supplier declares that the Supplier and its proposed Subcontractors agree to comply with Exhibition Place's [Accessible Customer Service Training Requirements](#).

(e) **Environmentally Responsible Procurement Statement**

The Supplier has read Exhibition Place's [Environmentally Responsible Procurement Policy](#) and makes the following statement:

Environmentally preferred products/services are being offered:

YES _____ NO _____

If yes, the Supplier confirms the following brief statement of the environmental benefit of the product/service:

(f) **Gender Diversity in Exhibition Place Procurements**

As part of Exhibition Place Council's support to enhance gender diversity on boards of corporations, all corporations conducting business with Exhibition Place are encouraged to utilize an intersectional analysis to strive to have gender parity on their corporate boards.

(g) **Exhibition Place of Social Procurement Program**

The Supplier acknowledges that Exhibition Place expects its suppliers to embrace and support Exhibition Place Social Procurement Program and its respective goals of supplier diversity and workforce development.

Further information concerning Exhibition Place's Social Procurement Program can be found on Exhibition Place's website at: <https://www.toronto.ca/business-economy/doing-business-with-the-Exhibition-Place/social-procurement-program/>

(h) **Exhibition Place Contractor Performance Evaluation**

Exhibition Place follows a Contractor Performance Evaluation procedure which provides guidance to Exhibition Place staff on creating and maintaining an evaluative record of a Contractor's performance on Exhibition Place projects for the purpose of Contract management and future purchasing decisions. Further information concerning Exhibition Place's Contractor Performance Procedure can be found on Exhibition Place's website at: <https://www.toronto.ca/business-economy/doing-business-with-the-Exhibition-Place/follow-up-on-Exhibition-Place-contracts/contractor-performance-evaluation-cpe-form/>

(i) **Disclosure of Information**

The Supplier hereby agrees that any information provided in this Bid, even if it is identified as being supplied in confidence, may be disclosed in accordance with the terms or the RFT or where required by law or by order of a court or tribunal.

6. Bid Submission Acknowledgement by Supplier

I, hereby, acknowledge and confirm that by signing this Form:

- (a) I have the authority to bind the Supplier
- (b) I am submitting this Bid on behalf of the Supplier; and
- (c) I attest to the accuracy of the information provided in this Bid.

Signature of Authorized Signing Officer

Date

Name

Title

Telephone No.

E-mail:

