



December 15, 2022

Frequently Asked Questions: Prequalification for Prime Contractor for Construction Projects

The information contained in this FAQ is in reference to Prequalification for Prime Contractor for Construction Projects only and does not contain information on prequalification for consultants.

If more information and clarity is required, submit your request to prequalification@calgary.ca.

FAQ Sections:

- Subcontractors
- Prequalification application process
- Safety & environmental submission requirements
- Other topics

Subcontractors

1. **Q: My company does not manage subcontractors. Does this prevent my company from being able to be prequalified as a Prime Contractor for The City?**

A: Yes. The ability to oversee and direct the work of other employers is required to be prequalified as a Prime Contractor. Prime Contractor responsibilities, as outlined in the Alberta Occupational Health and Safety (OHS) Code, are defined to include the management of subcontractors.

2. **Q: Do subcontractors need to be prequalified?**

A: No, subcontractors are not required to be prequalified. It is the Prime Contractor's responsibility to ensure that subcontractors meet the minimum requirements for the project.

3. **Q: Can contractors get a list of prequalified subcontractors?**

A: If applicable, a list of prequalified subcontractors will be included in the procurement package.

Prequalification application process

4. **Q: What is Prime Contractor status and when is it required?**

A: A Prime Contractor is required at all work sites where two (2) or more employers are engaged in work at the same site, even if they are not working at the same time but their activities may have an

impact on each other or are interrelated. The contractor counts as an employer, as does each self-employed worker and as can the owner. The prime contractor is responsible for:

- Monitoring activities to ensure that a work site's health and safety system is functioning properly;
- Coordinating internal health and safety systems of multiple employers;
- Coordinating effective communication in relation to health and safety at the work site;
- Ensuring that the Alberta OHS legislation is complied with on the work site, including, but not limited to:
 - Required first aid services, equipment and supplies are available at the work site;
 - Equipment erected or installed by or on behalf of the Prime Contractor complies with requirements of the OHS Code as if the Prime Contractor was the employer;
 - Any employer on a work site is made aware of any existing or potential work site hazards that may affect that employer's workers;
 - Investigating serious injury incidents: and
 - Managing controlled products.

Reference: Alberta Occupational Health & Safety Act, Regulation and Code and Alberta Occupational Health & Safety Bulletin for The Prime Contractor.

5. Q: How do I become a Prime Contractor and where is the information for qualifying located?

A: For City projects, a City representative will review a Contractor's safety plans and procedures to verify that the Contractor has done its due diligence and to ensure the Contractor can take over Prime Contractor responsibilities. Once this review has been completed satisfactorily, a City representative will then formally turn-over Prime Contractor status to the Contractor, by completing the necessary forms with the Contractor.

Further information regarding prequalification is located on Calgary.ca:

<https://www.calgary.ca/buy-sell/supply-to-city/prime-contractors.html>

If more information is required, or there are further inquiries, contact: prequalification@calgary.ca.

6. Q: If a completed project fits multiple categories, can contractors use it in multiple categories for their application?

A: Yes. If a completed project represents multiple categories within the prequalification package, the company may include that project as the project experience reference for the applicable categories. The project description within the reference should capture the work that was completed specific to the applicable category.

Example: The project has a road construction component and a landscape construction component. The reference that is given in the road construction section should detail the work completed for road construction in the description section of the project experience template. The reference that is given in the landscape construction section should detail the landscape construction work in the description section of the project experience template.

7. Q: Do companies that are prequalified in one (1) category have to re-apply to add another category?

A: It is not necessary to go through the full prequalification process. However, any contractor applying for an additional category must provide additional information related to that category. They must complete the application form for the new category(ies) and provide information on previous-related project experience.

The following is required:

- Schedule A – Commercial Requirements.
- Schedule D – List of Technical Categories (indicating additional category(ies) ONLY).
- Schedule (E-O) – Schedule for category(ies) prequalification is being requested for.
- Schedule P – Project Experience Template for each category prequalification is being requested for.
- Schedule Q – Annual Contract Dollar Value for each category prequalification is being requested for.
- Schedule R – Submission Form.

Copies of company's current:

- Business License;
- Certificate of Insurance;
ensure an endorsement to each of the insurance policies set out in subsection 13.1 of Standard General Conditions.
- Certificate of Recognition (COR);
- Alberta WCB Letter; and
- Corporate Registry Search within last 30 days of submission.

8. Q: How can I improve my submission to speed up the evaluation process?

A: A submission may be improved to speed up the evaluation process by:

- Ensure your submission clearly and precisely addresses all stated requirements;
- Ensure any supporting documentation is provided and adheres to the applicable legislation;
and
- Return clarifications being requested by the evaluation team within 15 business days from the date of the request.

9. Q: Why do Contractors require three (3) examples of projects in the last three (3) years to qualify as a Prime Contractor with The City?

A: If contractors are not actively fulfilling the obligations associated with being a Prime Contractor, they are not demonstrating the required level of experience and expertise to allow The City to confidently assign Prime Contractor as defined in the Alberta Occupational Health & Safety legislation.

10. Q: Can my company work for The City without being prequalified as a Prime Contractor?

A: Yes. Your company may be eligible to be contracted by The City in the following circumstances:

- When no Prime Contractor is required;
- When The City retains Prime Contractor accountabilities;

- When another Prime Contractor contracts the services of your company as a subcontractor.

Safety & Environmental Submission Requirements

11. Q: My company has a valid Certificate of Recognition (COR) and Workers' Compensation Board (WCB) Insurance. Why are we being asked to provide additional information?

A: There are four (4) elements of the prequalification requirements: Commercial (Schedule A), Safety (Schedule B), Environmental (Schedule C) and Technical (Schedules D through O). COR and WCB are only two (2) portions of the Schedule B (Safety) section. The Schedules B and C (Safety and Environmental) evaluation includes a review of your company's supporting documentation against selected parts of the Alberta OHS Code, applicable legislation and City policy.

12. Q: My company is based out-of-province or out-of-country. Will my jurisdiction's COR and WCB equivalencies be recognized by The City?

A: The City will review out-of-province and out of country applications, though it is the responsibility of the applicant to demonstrate equivalency.

13. Q: How can contractors know the difference between environmental requirements for short term vs. long term projects?

A: The duration of the project can help determine what is considered short term vs. long term. A Contractor should review the project documents to gauge the duration of a potential project. If the Contractor chooses to use a different practice or procedure, depending upon the length of a project, they must capture this in the standard operating procedures they submit for review in the prequalification process.

14. Q: How much is a Prime Contractor expected to know its subcontractor's environmental procedures?

A: The purpose of Prime Contractor status is to place responsibility and accountability for the work site in the hands of the Contractor and allow them to manage the site as they see fit. Key parts of the prequalification process are environmental stewardship and safety performance. When the Prime Contractor is managing the site, they are responsible, at a minimum, for ensuring that the environmental and safety performance meets the standards set out in their prequalification. If the subcontractor's standards exceed the Prime Contractor's, there is no issue. The Prime Contractor is responsible for vetting the subcontractors to ensure they meet all applicable standards of safety and environmental legislation. If they do not meet the Prime Contractor's standards, the Prime Contractor is responsible for educating the subcontractors on their standards and ensuring they are adhered to.

15. Q: My company does not perform work that has an environmental impact. Why are we being asked to provide explanations and documentation relating to things like spill response or erosion and sediment control?

A: As a prequalified Prime Contractor for The City, companies are expected to be able to demonstrate an ability to manage complex projects. The information requested in Safety (Schedule

B) and Environmental (Schedule C) assist The City in determining this ability. Competency must be demonstrated in all four (4) areas of the prequalification requirements.

Other Topics

16. Q: Will Building Information Modelling (BIM) impact the process of working with The City?

A: Building Information Modelling (BIM) is becoming more common. The City sees some benefits to BIM and will be piloting this technology. It is not The City's intent to make a wholesale change to require BIM, but it may become more common in the future. If a specific project will be using BIM, it will be defined in the project documents and procurement package.

17. Q: Does The City keep track of negative contractor reviews? And does this impact a contractor's ability to get prequalified?

A: The City has a formal vendor performance evaluation, which may impact a contractor's ability to get prequalified. A Contractor may not be eligible for prequalification if they have received poor or negative evaluations, depending on the severity and frequency of the issues. A Contractor's efforts to manage and correct these issues will also be considered when determining eligibility for prequalification.

18. Q: Are bid caps still implemented upon prequalifying with The City?

A: No. One of the fundamental changes to the prequalification process is the removal of bid caps.