

REQUEST FOR EXPRESSIONS OF INTEREST AND QUALIFICATIONS NO. 430-2011

The design, construction, development and operation of **MULTI-PAD INDOOR ARENA COMPLEX(ES)**

The City of Winnipeg (the City) is requesting Expressions Of Interest and Qualifications (EOI&Q) from teams of designers, contractors and developers from the private sector and non-profit organizations interested in pursuing the design, construction, development and operation of new multi-pad indoor arena complexes or the construction of additional sheets of ice at existing City of Winnipeg arena sites (the "Project").

1.0 **BACKGROUND**

- 1.1 On April 28, 2010, City Council concurred with the recommendation of Executive Policy Committee to solicit Expressions of Interest (EOI) on The City's Role in the Provision of Arenas from the private sector and community organizations for the construction and operation of new multi-pad public-use arenas; with prime consideration being given to strategic geographic location(s) so as to maximize accessibility for Winnipeggers.
- 1.2 The average municipal arena in Winnipeg is over 40 years old. They were constructed between 1960 and 1975. The City's building asset management program (including facility condition audits) indicates that the average condition of the existing arena inventory is nearing a crisis state and the level of maintenance funding has been described as "crisis response".

The fact that much of the existing inventory of facilities is decades old, means that many facilities do not reflect the current needs of the community. The desire for change is also toward the provision of a more contemporary mix of recreation and leisure facilities along with a more financially sustainable model for ice skating arena facilities.

- 1.3 The 'A.C.T.I.V.E.' Policy Framework (adopted by Council January 2004) provides guiding principles for the development of a long-term and sustainable strategy for a recreation, leisure and library infrastructure plan that better meets citizens needs and must be affordable, accessible and sustainable.
www.winnipeg.ca/cms/recreation/facilities/arenas/arena_strategy.stm#doc
- 1.4 The Recreation, Leisure, And Library Facilities Policy (RLALP) (May 2005) directed that the ice sheet inventory within the City of Winnipeg remains within the facility to population ratio. (1 per 15,000 - 20,000 people).
www.winnipeg.ca/cms/recreation/facilities/arenas/arena_strategy.stm#doc

2.0. **PURPOSE**

- 2.1. The intent of EOI&Q 430-2011 is to solicit interest from the private sector and non-profit organizations in the construction of new multi-pad arenas and additional sheets of ice at existing City of Winnipeg arena sites.
- 2.2. Multi-pad Indoor Arena Complexes have been built in many cities across Canada based on varying structure, cost, and management models. The purpose of this Request for EOI&Q is twofold.
 - 2.2.1 Firstly, the EOI&Q will provide the City with general information related to various types of facilities and structures that could be built in Winnipeg, together with reasonable estimates of costs associated with those options. The EOI&Q is also expected to provide options for management of the facility. This information will assist the City in decision-making processes with respect to any development of new multi-pad indoor arena complexes.
 - 2.2.2 Secondly, the EOI&Q will allow the City to gauge the level of interest among private sector and non-profit organizations in pursuing such a project and will provide the City with information necessary to evaluate the qualifications of Proponents.

3.0 **ANTICIPATED PROCESS**

- 3.1 The Evaluation Committee will prepare and submit a report to Executive Policy Committee and Council for its consideration. Should a decision be made to proceed to a Request For Proposals (RFP) for the design and construction of multi-pad indoor arena complexes or the addition of additional sheets of ice in an existing City of Winnipeg owned arena, the City will proceed in accordance with 3.2.
- 3.2 The City of Winnipeg further reserves the right to selectively identify, on the basis of demonstrated qualifications and experience, some, but not all Proponents who respond to this EOI&Q for participation in the Project. If the City decides to proceed to a short-list of Proponents from the EOI&Q process, only Proponents who respond to this EOI&Q will be eligible to participate in the next stage of the Project, should it proceed.
- 3.3 Notwithstanding any other section of the EOI&Q, The City may, in its sole discretion, at any time by written notice, terminate the EOI&Q or, after the selection of the short-listed Proponents, elect not to proceed with an RFP and by written notice terminate the Project procurement process. After termination as described above, the City will be under no obligation to any Proponent. In any such event, the City may at its further discretion, decide not to proceed with the Project, or proceed with the project in another format.

4.0 **PROPONENT'S CONFERENCE**

- 4.1 A Proponent's Conference will be held at 9:00 a.m. Winnipeg time on November 7, 2011 at:
North Centennial Recreation and Leisure Facility
90 Sinclair Street at Dufferin Avenue
Winnipeg, MB

- 4.2 Proponents are requested to register for the Proponent's Conference by contacting the City's Representative.
- 4.3 Ample parking is available at the site of the Conference.
- 4.4 The Proponent shall not be entitled to rely on any information or interpretation received at the Proponent's Conference unless that information or interpretation is provided by addendum.

5.0 GENERAL REQUIREMENTS

- 5.1 New multi-pad indoor arena complexes and the construction of additional sheets of ice in an existing City of Winnipeg owned arena site are expected to have a building footprint of sufficient size to house at least two sheets of ice plus associated amenities, possibly including, but not necessarily limited to, the components identified in 5.1.1 through 5.1.14.
 - 5.1.1 A minimum of two ice pads 85 feet x 200 feet;
 - 5.1.2 Sufficient team dressing rooms for each ice pad and dressing rooms for officials suitably sized to accommodate the number of ice pads. All dressing rooms shall adhere to the City of Winnipeg Universal Design Policy (Dec 2001) www.winnipeg.ca/cms/recreation/facilities/arenas/arena_strategy.stm#doc be sized and designed to accommodate persons of both genders, with suitable shower and washroom facilities.
 - 5.1.3 Viewing areas, stands, with sufficient seating capacity;
 - 5.1.4 Leisure ice surface that is free-form in design, intended for informal and recreational use;
 - 5.1.5 Additional indoor or outdoor recreational use amenities and ancillary services;
 - 5.1.6 Community use / meeting room(s);
 - 5.1.7 Concessions and lounge;
 - 5.1.8 Public use washrooms that adhere to the City of Winnipeg Universal Design Policy;
 - 5.1.9 Lobby with reception/control point of sufficient size to accommodate building capacity;
 - 5.1.10 Provision for a public-access agreement for children and youth recreational ice sports;
 - 5.1.11 Synthetic ice surface or alternate use sports floor surface;
 - 5.1.12 Mechanical, electrical, storage and tractor room;
 - 5.1.13 Strategically located within the Winnipeg to facilitate distributed access; and
 - 5.1.14 Development and operation of complex to, at minimum, be in accordance with the City of Winnipeg Green Building Policy - New City-Owned Buildings and Major Additions (July 2010) www.winnipeg.ca/cms/recreation/facilities/arenas/arena_strategy.stm#doc
- 5.2 Proponents should clearly identify which of these components are included in their EOI&Q Submission.

6.0 BUILDING FUNCTIONALITY

- 6.1 In developing the response to this request for EOI&Q, Proponents should consider the following aspects of building functionality.
 - 6.1.1 If considering an indoor ice season of less than 12 months, provide alternative use options of pad, example in-line hockey, box lacrosse, basketball, or volleyball;

- 6.1.2 Additional indoor or outdoor recreational use amenities and ancillary services;
- 6.1.3 Consistent with Council adopted policies; at minimum, be in accordance with the City of Winnipeg Green Building Policy - New City-Owned Buildings and Major Additions and City of Winnipeg Universal Design Policy; and
- 6.1.4 Cost estimates should provide for the facility being completed to the point of occupancy, including the provision of all finishes, signage, etc. Furniture and unfixed equipment need not be considered in the estimates.

7.0 **SITE DEVELOPMENT**

- 7.1 The EOI&Q Submission must identify a proposed site.
- 7.2 The site should be, at a minimum, of sufficient size to accommodate the multi-pad indoor arena complex and associated amenities together with suitable parking facilities.
- 7.3 The EOI&Q Submission should identify and quantify all costs associated with development of the site. This includes, but not necessarily limited to: the cost of the land; the provision of sewer, water, and storm water services; electrical servicing; road access, service access, and asphalt parking in accordance with City of Winnipeg by-laws; landscaping surrounding the building and parking lot; and signage.
- 7.4 Proponents are invited to submit separate proposals for more than one multi-pad site.

8.0 **FACILITY MANAGEMENT**

- 8.1 The EOI&Q Submission may include a management proposal for the Proponent and/or a third party to own and/or operate the facility. In this scenario, the broad, general terms of such an agreement should be outlined in the EOI&Q Submission, including any related services required from the City.

9.0 **SUBMISSION REQUIREMENTS (TO BE PROVIDED BY PROPONENTS)**

- 9.1 The EOI&Q Submission should include the following:
 - 9.1.1 A description of the proposed team members and team organizational structure, including principal-in-charge;
 - 9.1.2 Information on the Proponent's team and its members' experience and expertise in delivering projects of this nature and magnitude;
 - 9.1.3 A business plan including:
 - 9.1.3.1 A description of a proposed multi-pad site with information related to its potential for development including location, dimensions, area, existing zoning and use, etc.;
 - 9.1.3.2 A design concept with sketches of a floor plan and an exterior perspective at a minimum, including a site plan;
 - 9.1.3.3 A description of the building including, in particular, all assumptions related to the type of structure, materials, and finishes together with approximate room sizes and occupancy capacity of the various components of the building;
 - 9.1.3.4 An estimate of project capital costs which should include all associated costs including but not necessarily limited to bond fees, insurance costs,

- all development and building permits, all design fees, all contracting fees, a 20% contingency, and all applicable taxes including G.S.T.;
- 9.1.3.5 An estimate and breakdown of annual operating and maintenance costs;
- 9.1.3.6 Identify the City's long-term capital liability, if any;
- 9.1.3.7 Provision of a public-access agreement for children and youth recreational ice sports;
- 9.1.3.8 Benefits to the City of Winnipeg;
- 9.1.3.9 A preliminary life-cycle analysis indicating future points in time when significant reinvestment will be required (this is important given the variety of structures that have been used to house facilities of this nature: Post and beam, space frame, air-supported);
- 9.1.3.10 An outline schedule of the critical phases and deadlines to deliver such a project to a status of ready for occupancy and use for the intended purpose by Q4 2012;
- 9.1.3.11 The name and contact information (address, phone, fax, and email) of the individual who will act as the Proponent's principal contact throughout the EOI&Q process; and
- 9.1.4 A list of three references, at a minimum, who have served in a client capacity for the Proponent or its team members – provide names of individuals and contact information;

10.0 SUBMISSION INFORMATION

- 10.1 The Deadline for Submissions in response to this EOI&Q should be:
4:00 pm CDT, November 28, 2011.
 - 10.1.1 The Manager of Materials may extend the Submission Deadline by issuing an addendum at any time prior to the time and date specified in 10.1.
- 10.2 The Proponent should submit 1 unbound original and 9 bound copies of the EOI&Q Submission
- 10.3 The Proponent's name and contact information and "EOI&Q No.430-2011 Multi-pad Indoor Arena Complex" clearly visible on the front cover of each copy of the EOI&Q Submission.
- 10.4 Interested parties should submit their EOI&Q Submission in a sealed package clearly marked EOI&Q No.430-2011.
- 10.5 EOI&Q Submissions shall be delivered to:
The City of Winnipeg
Corporate Finance Department
Material Management Division
185 King Street, Main Floor
Winnipeg, MB R3B 1J1

11.0 ENQUIRIES

11.1 All enquiries shall be directed to:

Clive Wightman

Director

Community Services Department

cwightman@winnipeg.ca

11.2 If the Proponent finds errors, discrepancies or omissions in the EOI&Q, the Proponent shall promptly notify the City's representative identified in 11.1, of the error, discrepancy or omission at least ten (10) Calendar Days prior to the Submission Deadline.

11.3 If the Proponent is unsure of the meaning or intent of any provision therein, the Proponent should request clarification as to the meaning or intent prior to the Submission Deadline.

11.4 Responses to enquiries which, in the sole judgment of the City's representative, require a correction to or a clarification of the EOI&Q will be provided by the City's representative to all Proponents by issuing an addendum.

11.5 Responses to enquiries which, in the sole judgment of the City's representative, do not require a correction to or a clarification of the EOI&Q will be provided by the City's representative only to the Proponent who made the enquiry.

11.6 The Proponent shall not be entitled to rely on any response or interpretation received, unless that response or interpretation is provided by the City's representative in writing.

11.7 Proponents questions will be placed in three different categories:

11.7.1 Proponent Conference Questions;

11.7.2 General Proponent Questions;

11.7.3 Confidential Questions.

11.8 Proponents must submit their questions by e-mail to the City's representative. Questions not marked "Confidential" will be considered as "General".

11.9 The City's representative may determine that a Confidential" question requires clarification to all Proponents. In that case, the City's representative will notify the Proponent who submitted the question and request that they revise the "Confidential" label to read "General". If the question remains "Confidential", the City's representative reserves the right to not provide an answer.

11.10 Questions in 11.7.1 and 11.7.2 will be answered by Addenda. Questions in 11.7.3 will be answered, in writing, to the Proponent that submitted the Question.

11.11 Proponents shall submit questions to the City's representative at least ten (10) Calendar Days prior to the Submission Deadline.

11.12 The City's representative will issue each Addendum or answer the question considering the time required in relation to the subject contained in the Addendum, but in any event, at least two (2) Business Days prior to the Submission Deadline, or provide at least two (2) Business Days by extending the Submission Deadline.

12.0 EVALUATION OF EOI&Q SUBMISSIONS

12.1 EOI&Q Submissions will be evaluated according to the following criteria:

12.1.1 Completeness of the EOI&Q Submission, that is, provision of all of the components identified in 9.0;

12.1.2 Experience and expertise of the Proponent's Team; and

12.1.3 Strength of the business plan.

12.2 Reference checks to confirm information provided may not be restricted to only those submitted by the Proponent, and may include organizations known to have done business with the Proponent

12.3 The EOI&Q Submissions will be reviewed and analyzed by an Evaluation Committee comprised of members of the Winnipeg Public Service.

12.3.1 Non-City staff may be member(s) of the Evaluation Committee.

13.0 SUBMISSION CLARIFICATIONS

13.1 The City may request that a Proponent clarify any portion of its EOI&Q Submission. Requests and responses to such requests shall be in writing and shall become part of the EOI&Q Submission.

14.0 NO CONTRACT

14.1 This is an inquiry only. By responding to this EOI&Q with a written Submission or otherwise participating in the process as outlined in this EOI&Q, each Proponent expressly agrees that no contract of any kind is formed under, or arises from this EOI&Q and that no legal obligations as between any one or more of the Proponents and the City of Winnipeg will arise.

15.0 PROPONENTS COSTS AND EXPENSES

15.1 Each Proponent is solely responsible for its own costs and expenses in preparing and submitting a response to this EOI&Q and participating in the EOI&Q including the provision of any additional information or attendance at meetings or interviews.

16.0 OWNERSHIP OF SUBMISSIONS

16.1 The City will be entitled to retain all EOI&Q Submissions received in response to this EOI&Q without pay or compensation. Proponents are advised that the City of Winnipeg is subject to The Freedom of Information and Protection of Privacy Act (Manitoba) and that any documents or other records provided to the City may, by law, be subject to disclosure.

17.0 RIGHT TO ALTER

17.1 Prior to the submission deadline, the City of Winnipeg reserves the right to alter any of the conditions and criteria outlined in this EOI&Q, including the deadline for submissions, by posting addenda on the City of Winnipeg website at <http://www.winnipeg.ca/matmgt/bidopp.asp>.

- 17.2 It is the responsibility of each Proponent to ensure that any possible addenda have been reviewed.
- 17.3 The City's representative will issue each addendum at least two (2) Business Days prior to the Submission Deadline, or provide at least two (2) Business Days by extending the Submission Deadline.
- 17.4 The Proponent is responsible for ensuring that it has received all Addenda and is advised to check the Materials Management Division website for Addenda regularly and shortly before the Submission Deadline, as may be amended by addendum.

18.0 GOOD FAITH DECLARATION

- 18.1 The Proponent declares that, in submitting its EOI&Q Submission, it does so in good faith and that to the best of its knowledge, no member of City Council or any officer or employee of the City would have any pecuniary interest, direct or indirect, should the Proponent be named as the party to carry out and develop the Project as contemplated herein or awarded a contract of the design, construction and/or financing of the Project.

19.0 NO LOBBYING

- 19.1 Any form of political or other lobbying whatsoever in relation to the Project or with a view to influencing the outcome of this EOI&Q process is strictly prohibited. Failure to comply with this provision may result in disqualification from the EOI&Q process or, if the City becomes aware of your breach of this provision during evaluation, disqualification from the evaluation process.

20.0 CONFIDENTIALITY

- 20.1 Information provided to the Proponent by the City or acquired by a Proponent by way of further enquiries or through investigation is confidential. Such information shall not be used or disclosed in any way without the prior written authorization of the Manager of Materials.
- 20.2 The Proponent shall not make any statement of fact or opinion regarding any aspect of the EOI & Q to the media or any member of the public without the prior written authorization of the Manager of Materials.
- 20.3 Failure to comply with this provision may:
 - 20.3.1 result in disqualification from the bidding process; or
 - 20.3.2 be considered a breach of contract and be cause for termination, if the City becomes aware of your breach of this provision after the Contract has been awarded.