



The Corporation of the Municipality of Red Lake
P.O. Box 1000
2 Fifth Street
Balmertown, Ontario
P0V 1C0
Telephone: (807) 735-2096
Fax: (866) 681-2954
www.redlake.ca

Request for Proposal (RFP)

Used Landfill Compactor

Proposal Closing

Date: June 13, 2023

Time: 2:00 P.M. Local Time (Central Standard Time)

Location:

Municipal Office
Municipality of Red Lake
P.O. Box 1000, 2 Fifth Street
Balmertown, Ontario,
P0V 1C0

Municipal Office Hours:

Monday – Friday
8:30 a.m. – 4:30 p.m.

Proponents' Questions

Deadline for written questions from Proponents is June 6, 2023

Proponents' questions will be responded to on or before June 8, 2023.

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The Corporation of the Municipality of Red Lake



GENERAL INSTRUCTIONS

1. All bid documents must be submitted in accordance to the location, date, time and manner as specified in the Tender/RFP/Quotation Call.
2. All **bid documents** and **corresponding addendums** must be submitted in a **sealed envelope**, and clearly marked as to its contents in ink or typed form, or by a pre-supplied label by the Municipality of Red Lake.
3. As submissions are received, they are time and date stamped by the Clerk's office at the Municipal Office to ensure compliance with the closing date and time.
4. The Municipality of Red Lake will not accept **faxed or emailed bid documents**.
5. Late submissions will not be accepted and will be returned unopened to the receiver at the time of submission and if not possible, shortly thereafter by regular mail.
6. Openings are a public process and will be held in the Council Chambers, Municipal Office at the time of closing or shortly thereafter, and on the date as specified in the Tender/RFP/Quotation Call documents.
7. For tenders, the name of the bidder and the total amount will be read aloud and duly recorded. For RFPs and Quotations, the name of the proponent will be read aloud and recorded, but not the total amount.
8. All members of the public in attendance at the opening are required to sign the *Attendance Form*.
9. Following the opening, the completed *Unofficial Results Form* and accompanying bid documents will be given to the Requisitioning Department Head for evaluation.

The lowest and/or any bid not necessarily accepted.

The Municipality of Red Lake reserves the right to accept/reject, cancel/re-advertise any Tender/RFP/Quotation Call.

*In **advance** of submitting your bid document; and to guarantee notification of addendums (if any) and provide the ability to ask questions related to the bid document, please complete the Registration Form and return it accordingly*

The Corporation of the Municipality of Red Lake



REGISTRATION FORM

Packages—will be available for pick-up in person, by email, or via the municipal website at www.redlake.ca.

Addendums to bid documents will be forwarded to all registered proponents/bidders upon completion of this form in order to **guarantee notification and receipt of addendums** (if any). Those who do not complete a *Registration Form* are responsible for obtaining all addendums associated with this project. The Municipality of Red Lake shall not be responsible for misinformed proponents/bidders who neglect to complete this form.

Addendums become part of the bid document and shall be submitted along with the originally distributed bid document.

Please return the completed form **in person, by email to clerk.registration@redlake.ca or by fax to (866) 681-2954.**

PROJECT NAME	
CLOSING DATE	
COMPANY NAME	
PRINCIPLE CONTACT	
ADDRESS	
ADDRESS (LINE 2)	
CITY AND PROVINCE	
POSTAL CODE	
TELEPHONE	()
FACSIMILE	()
EMAIL ADDRESS	
DATE:	

INTRODUCTION

The Municipality of Red Lake is located in northwestern Ontario by Kings Highway 105 and is the northernmost town in Ontario. It is located 535 km (332 mi) northwest of Thunder Bay and less than 100 km (62 mi) from the Manitoba Border. The municipality consists of five small communities – Balmertown, Cochenour, Madsen, McKenzie Island and Red Lake, with a combined population of 4,366 people (Canada 2011 Census).

Proposals may be submitted in person, by mail or courier. Faxed or emailed proposals **will not** be accepted.

The Municipality of Red Lake has local Canada Post and courier service outlets. It is the responsibility of the proponent to check with your local Canada Post outlet and/or courier to determine the best means to submit your proposal. The Municipality of Red Lake assumes no responsibility for proposals received after the closing date and time.

Part I - GENERAL INSTRUCTIONS**1. Proposal Schedule and Closing Time**

The Proposal Form, in a sealed envelope bearing the submission label provided by the Municipality, must be received; date and time stamped, and be in the possession of the Clerk's Office, no later than 2:00 p.m. local time (**Central Standard Time**), on the specified closing date. Late Proposals cannot be accepted under any circumstances; however late proposals shall be date and time stamped and shall be returned to the Proponent, unopened:

The Clerk's Office clock determines the Closing Time of the Proposal Call.

Task	Date
Issue Request for Proposal	May 25, 2023
Deadline for Receipt of Proponents' Questions	June 6, 2023
Deadline for Response to Proponents' Questions	June 8, 2023
Request for Proposal Closing:	June 13, 2023
Evaluation of Proposals Completed	The Thursday prior to Committee of the Whole or Council Meeting at which award will be considered June 15, 2023
Selection of Preferred Proposal	The Council Meeting at which the awarding By-Law is passed June 19, 2023
Notification to successful Proponent	The business day next following the Council Meeting noted immediately above June 20, 2023

2. Inquiries/Questions

All questions concerning this Proposal must be directed in **writing** (email or facsimile) to:

Used Landfill Compactor

clerk.registration@redlake.ca or Fax: (866) 681-2954

Questions must not be directed to anyone else. Questions will be responded to in the form of an “Addendum” to the Request for Proposal, which will be distributed to all registered Proponents known to the Municipality.

3. Proposal Opening/Confidentiality Assurance

Be advised that all Proposals that are received on time will be opened in a public setting however the Proposals themselves will be maintained in confidence.

All Proposals submitted to the Municipality become the property of the Municipality and as such, become subject to the “Municipal Freedom of Information and Protection of Privacy Act”. While the Municipality considers all Proposals to be confidential, and will involve the Proponent in any proceeding challenging that position, it must be understood that the Municipality will not necessarily be the final decision-maker on that point.

4. Submissions

Two (2) original hard copies of the Proposal on 8 ½ inch by 11 inch paper, and one (1) electronic copy on a USB stick should be submitted, including any Addendums that may have been issued under Section 2. The submission must be clearly identified as “USED LANDFILL COMPACTOR”.

5. Initial Screening

The Requisitioning Department Head for the department leading this project (acting individually or together with a team of others) will review and evaluate all Proposals. They will be checked to make sure that they comply with the terms and conditions of this Request for Proposal document. Any Proposal that does not meet all of the necessary criteria has to be rejected without further consideration. A guide to mistakes and irregularities is included in the Municipality’s policy for the processes for tenders, requests for proposals and quotations (which is attached to, and forms a part of this Request for Proposal document).

6. Award Options

The Requisitioning Department Head for the department leading this project (with or without a team of others) reserves the right, privilege, entitlement and absolute discretion, and for any reason whatsoever to:

1. accept a Proposal which is not the one with the lowest cost;
2. reject a Proposal, even if it is the one with the lowest cost;
3. reject a Proposal even if it is the only Proposal received;
4. accept the Proposal that the Requisitioning Department Head considers to be most favourable to address the scope of work;
5. accept or reject any and all Proposals, whether in whole or in part;
6. accept or reject any unbalanced, irregular, or informal Proposals; and/or
7. reject any Proposal submitted (directly or indirectly) by a Proponent who is involved in a dispute with the Municipality or who owes the Municipality money. The Municipality of Red Lake reserves the right to define who can be qualified to bid for work or supply goods and services to the Municipality and reserves the right to exercise its intent to not contract with persons for the provision of goods and services who have delinquent accounts with the Municipality in accordance to the Qualified Suppliers Policy (Section 4.12 – Financial Services and Control Policy Manual)

7. Proponent's Statement of Understanding

The submission of a Proposal is the Proponent's assurance to the Municipality that it has carefully examined this Request for Proposal document, **and** the Municipality's Tender/RFP/Quotation Policy. The Proponent acknowledges that it understands these documents and has had sufficient opportunity to get clarification on any or all portions of them that it did not understand.

8. Irrevocability of Proposals – Binding Agreement

Until the closing time, any Proponent may withdraw its previously submitted Proposal, whether or not another is submitted in its place. However, upon closing time, all Proposals become irrevocable.

The submission of a Proposal is the Proponent's assurance to the Municipality that, if its proposal is selected, it will become legally bound to the Municipality by agreement. The terms and conditions of this Request for Proposal document, the Municipality's policies, and the Proponent's Proposal (in that order of preferential sequence) will form the foundation of the contract between the successful Proponent and the Municipality.

9. Errors and Omissions

Nothing verbally said to anyone by anyone can modify any provisions of this Request for Proposal document. Any modification or clarification must be in writing, issued by the Requisitioning Department Head leading the project. All of these written materials, called “Addendums”, will be issued in accordance with Section 2 and will become part of the Request for Proposal document.

10. Proponents’ Expenses

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

11. Insurance

The successful Proponent must obtain, maintain, and pay for Comprehensive General Liability Insurance with an insurer acceptable to the Municipality. This insurance coverage shall be subject to limits of not less than five million (\$5,000,000.00) dollars, inclusive, per occurrence, for bodily injury, death and damage to property, including loss of use of property, for any one occurrence. All required insurance must be endorsed to provide the Municipality with thirty (30) days’ advance written notice of cancellation or material change.

The successful Proponent will provide the Municipality with evidence of the required insurance, in the form of a completed Certificate of Insurance, immediately following execution and delivery of the formal legal Agreement.

12. Compliance with Applicable Law

The successful Proponent must make sure that its operations, and all of the services and products that it provides relating to this project, are in accordance with, and appropriately authorized under, all relevant and applicable law. Some of the many laws that might apply are: the Workplace Safety and Insurance Act, 1997, the Occupational Health and Safety Act, the Accessibility for Ontarians with Disabilities Act, 2005. Other laws will also apply, and they could be provincial or federal statutes or regulations, or municipal by-laws and policies. The successful Proponent is responsible for applying for and receiving any required authorizations or licences to undertake the work associated with the project.

The successful Proponent **guarantees to the Municipality** that it does, and that it will continue to comply with all applicable laws in this regard.

The successful Proponent will allow the Municipality to view its books and records, including personnel training records, where reasonably necessary, to satisfy itself that this Section is being complied with.

13. Professional Operations

The successful Proponent **guarantees to the Municipality** that it will run the project in a professional and prudent manner without negligence. It will be sure that its staff (including contract workers or volunteers) are properly trained and provide quality customer service to patrons of the project.

14. Indemnification

The Proponent shall be responsible for all damages, losses, or expenses caused by it, its employees, agents, volunteers and sub-contractors that arise out of the work associated with the project. This may be due to the existence, location, condition of work relating to the project, to any materials, plant or machinery used for the project, or which may happen by reason of the successful Proponent's failure (or the failure of those for whom it is responsible) to do or perform any or all of the things required to be done by them under the Proposal. The successful Proponent agrees to indemnify and hold the Municipality harmless from any such damages, losses, or expenses, or claims by third parties, including any and all legal costs incurred by the Municipality in connection.

15. Termination for Cause

The Municipality retains the right to terminate the Agreement with the successful Proponent at any time, in whole or in part, if the work is not performed in strict accordance with the Agreement. This applies even if the Municipality has been lenient to the successful Proponent with respect to the same or a different performance issue.

16. Laws of Ontario

The Agreement resulting from this Request for Proposal will be governed by, and will be construed and interpreted in accordance with, the laws of the Province of Ontario.

17. Encumbered Goods

The Proponent **guarantees to the Municipality** that the goods, inventory and equipment being supplied are free and clear of any liens, charges, encumbrances, mortgages, hypothecations, copyright, patents or any third party statutory claims, excepting any for which it has provided the Municipality with written notice.

18. Conflict of Interest

In its Proposal, the Proponent must disclose to the Municipality any possible conflict of interest that might compromise the project. This applies to actual conflicts of interest, and also to circumstances that might lead an ordinary person to believe that a conflict of interest exists, even if it does not. If a conflict of interest exists or appears to exist, the Municipality may, at its discretion, refuse to consider the Proposal. If the Proponent becomes aware of a possible real or apparent conflict of interest after it has submitted its Proposal but before the selection process has been completed, that Proponent must inform the Municipality by contacting the individual identified in Section 2.

19. Negotiations

Each Proponent must prepare its Proposal with the understanding that the Municipality may select the successful Proponent on the basis of the Proposals received, without discussion. Each Proposal should contain the Proponent's best terms and information, including all required documents as listed. The Municipality reserves the right to enter into negotiations with any Proponent. If the Municipality and a Proponent cannot negotiate a successful agreement, the Municipality may terminate the negotiations and begin negotiations with another Proponent. This process may continue until an agreement has been executed or all Proponents have been rejected. No Proponent shall have any rights against the Municipality arising from negotiations.

Part II – for use by individuals – see next page for use by incorporated Proponents

STATEMENT OF UNDERSTANDING (INDIVIDUALS)

I declare that I have read and understand Part I to Part VI of this Request for Proposal document with respect to the supply of a used landfill compactor.

I also acknowledge that Part I to Part VI, inclusive, form the complete Request for Proposal document and shall be returned to The Corporation of the Municipality of Red Lake as the RFP submission.

Name(s) of each Proponent:

Dated at the _____
(insert City/Town and Province where document was signed)

This _____ day of _____, 20_____
(insert date on which document was signed)

Signatures:

<p>Signature of Witness (an individual Proponent's signature must be signed before a witness who must also sign here):</p> <p>_____ Print witness' name legibly beneath signature</p>	<p>Signature of Proponent (or, where there is more than one individual Proponent, one representative Proponent):</p> <p>_____ Print Proponent's name legibly beneath signature By signing, I am representing that each individual Proponent (where there is more than one) has authorized me to sign on all of our behalves and we are all bound by this signature)</p>
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Part II – for use by corporate Proponents- see prior page for individuals

STATEMENT OF UNDERSTANDING (CORPORATIONS)

I am the _____ (insert title) of the Proponent. I declare that I have read and understand Part I to Part VI of this Request for Proposal document with respect to the the supply of a used landfill compactor on the corporation's behalf.

I also acknowledge that Part I to Part VI, inclusive, form the complete Request for Proposal document and shall be returned to The Corporation of the Municipality of Red Lake as the corporation's RFP submission.

Formal, legal name of corporate Proponent:

Dated at the _____
(insert City/Town and Province where document was signed)

This _____ day of _____, 20_____
(insert date on which document was signed)

Signatures:

	<p>Signature(s) on behalf of corporate Proponent</p> <p>_____ (Print signatory's name and title legibly beneath signature)</p> <p style="text-align: right;">c/s</p> <p>_____ (Print signatory's name and title legibly beneath signature)</p> <p>By signing, I/we am/are representing that I/we have been duly authorized by the corporate Proponent to execute this Proposal, and that our signatures bind the corporation on whose behalf we have executed, whether or not the corporate seal is applied</p>
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PART III

ACKNOWLEDGEMENT OF ADDENDUMS

I/WE declare that I/WE have carefully examined all Addendums (as referenced in Section 2) and hereby acknowledge that these Addendums are part and parcel of any Contract to be let for all work described in this Request for Proposal document.

Addendum No. 1 _____	Addendum No. 4 _____
Addendum No. 2 _____	Addendum No. 5 _____
Addendum No. 3 _____	Addendum No. 6 _____



Check here if NO Addendum was received

Dated at the _____
(insert City/Town and Province where document was signed)

This _____ day of _____, 20_____
(insert date on which document was signed)

	Signature(s) on behalf of corporate Proponent
	_____ (Print signatory's name and title legibly beneath signature)
	c/s
	_____ (Print signatory's name and title legibly beneath signature)
By signing, I/we am/are representing that I/we have been duly authorized by the corporate Proponent to execute this Proposal, and that our signatures bind the corporation on whose behalf we have executed, whether or not the corporate seal is applied	

Signature of/for individual Proponent(s):

Signature of Witness (an individual Proponent's signature must be signed before a witness who must also sign here): _____ Print witness' name legibly beneath signature	Signature of Proponent (or, where there is more than one individual Proponent, one representative Proponent): _____ Print Proponent's name legibly beneath signature By signing, I am representing that each individual Proponent (where there is more than one) has authorized me to sign on all of our behalves and we are all bound by this signature)
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PART IV

Terms of Reference

The Municipality of Red Lake is seeking Request for Proposal for the supply of a used landfill compactor.

DETAILS OF PROJECT

The Municipality of Red Lake is seeking to purchase a used landfill compactor with the following specifications:

- Hydro static drive
- Self cleaning steel compaction wheels
- Cab with heater/AC/filters
- Sealed engine compartment with the ability to prevent entry of debris
- Fuel fired engine pre-heating system
- Equipped with 2-way radio programmed to Municipal channels
- Provide an operators manual
- Provide a maintenance manual
- Equipment must be in good working order with all existing functionality operating correctly
- Bidders must be capable of providing service and have the availability of parts for the equipment
- Bidders must accept trade in of one 2003 Terex (CMI) 3-75E Trashmaster Landfill Compactor
- Price quoted must include FOB Balmertown Transfer Station, Red Lake, ON
- Bidders are also asked to outline:
 - o The detailed machine specifications including:
 - The emissions system and engine tier type of the equipment
 - The maintenance history and major component hours
 - Total equipment hours
 - Fire suppression system
 - o The warranty, if any, to be included with the purchase

Equipment Bid Sheet

1. Used Landfill Compactor delivered to Red Lake

Applicable HST

Trade in Value

Total Cost

Delivery Date

2. Service Availability

Location of Service Shop

Frequency of service trips to Red Lake

Time for response for an emergency breakdown

3. Parts Availability

Location of Parts Warehouse

Delivery time for parts to Red Lake

4. Warranty Details (*Attach a separate sheet as required*)

PART V**REFERENCES**

Proponents are asked to provide a minimum of 3 references of similar contract size. If the Proponent is new in this business, alternative references may be submitted.

Reference #1

Company: _____

Contact Person: _____

Address: _____

City: _____ Province: _____ Postal Code: _____

Telephone: _____ Fax: _____

Contract Value: _____

Reference #2

Company: _____

Contact Person: _____

Address: _____

City: _____ Province: _____ Postal Code: _____

Telephone: _____ Fax: _____

Contract Value: _____

Reference #3

Company: _____

Contact Person: _____

Address: _____

City: _____ Province: _____ Postal Code: _____

Telephone: _____ Fax: _____

Contract Value: _____

PART VI**Signature**

The Proponent has carefully examined the proposal document in its entirety and submits the **price** according to these documents.

The Proponent by this bid offers to complete the proposal as per all documents.

Name of Company or Individual(s) forming the "Proponent"	
Street Address or P.O. Box #	
City and Province	
Postal Code	

Dated at the _____
(insert City/Town and Province where document was signed)

This _____ day of _____, 20_____
(insert date on which document was signed)

	Signature(s) on behalf of corporate Proponent
	_____ (Print signatory's name and title legibly beneath signature)
	c/s
	_____ (Print signatory's name and title legibly beneath signature)
By signing, I/we am/are representing that I/we have been duly authorized by the corporate Proponent to execute this Proposal, and that our signatures bind the corporation on whose behalf we have executed, whether or not the corporate seal is applied	

Signature of/for individual Proponent(s):

Signature of Witness (an individual Proponent's signature must be signed before a witness who must also sign here): _____ Print witness' name legibly beneath signature	Signature of Proponent (or, where there is more than one individual Proponent, one representative Proponent): _____ Print Proponent's name legibly beneath signature By signing, I am representing that each individual Proponent (where there is more than one) has authorized me to sign on all of our behalves and we are all bound by this signature)
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(The Municipality's Signature is on the following page)

REQUEST FOR PROPOSAL

Used Landfill Compactor

The Corporation of the Municipality of Red Lake:

Fred Mota, Mayor

c/s

Christine Goulet, Clerk

Dated at Balmertown, Ontario, this _____ day of _____, 20_____

PROPONENT'S CHECKLIST

Two (2) Original Hard Copies Request for Proposal Documents

One (1) Electronic Copy (on USB Stick) Request for
Proposal Document

Signed Statement of Understanding

Signed Acknowledgment of Addendums

References

Signature Page

Completed Submission Label for Envelope (if utilizing)

REQUEST FOR PROPOSAL

Used Landfill Compactor

RETURN ADDRESS:

Telephone: _____

DELIVER TO:

The Corporation of the Municipality of Red Lake

P.O. Box 1000

2 Fifth Street

Balmertown, Ontario

P0V 1C0

SEALED PROPOSAL:

RFP – Supply of Used Landfill Compactor

Municipal Use Only:

Received By: _____

Date Stamped: _____



The Corporation of the Municipality of Red Lake

FINANCIAL SERVICES AND CONTROL POLICY MANUAL

Subject: Tender/Request for Proposal/ Quotation Process	Approval Date: January 19, 2015	By-Law No. 02-2015 <i>Amended by By-Law No. 43-2015</i> <i>Amended by By-Law No. 67-2016</i>
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4.15 TENDER/REQUEST FOR PROPOSAL/QUOTATION PROCESS

1. PURPOSE

The purpose of this policy is to provide information to the general public and potential proponents/bidders with respect to the Tender/Request for Proposal (hereinafter referred to as the Tender/Request for Proposal (RFP)/Quotation process; to provide an internal guideline for staff and to serve as an extension of the principles outlined in the Procurement of Goods, Services or Construction and Disposal of Assets By-Law.

This policy applies only to the procurement of goods, services and construction on purchases in excess of \$75,000 plus taxes whereby sealed tenders, sealed Request for Proposals, sealed written Quotations shall be obtained in accordance to the Procurement By-Law.

2. DEFINITIONS

- a) Addenda or Addendum – means such further additions, deletions, modifications or other changes to the bid document.
- b) Bidder – means a legal entity submitting a competitive bid in response to a Call by the Municipality of Red Lake.
- c) Quotation – shall mean to state or provide, in writing, a price for securities, goods, services or construction.
- d) Proponent – means any legal entity submitting a Proposal in response to a Request issued by the Municipality of Red Lake.
- e) RFP (Request for Proposals) – means a written bid or offer solicitation that is used to acquire Goods, Services or Construction. The RFP process encourages different solutions from vendors and actively searches for better and more creative ideas for supply contracts. It is a wide open alternate bidding process. The RFP provides a process whereby the negotiation and award is based on demonstrated competence, qualifications and the technical merits of the proposal at fair price.



The Corporation of the Municipality of Red Lake

FINANCIAL SERVICES AND CONTROL POLICY MANUAL

Subject: Tender/Request for Proposal/ Quotation Process	Approval Date: January 19, 2015	By-Law No. 02-2015 <i>Amended by By-Law No. 43-2015</i> <i>Amended by By-Law No. 67-2016</i>
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- f) Tender – shall mean a publicly advertised bid or offer of solicitation with a formal bid or offer, in writing, based on tender documents outlining specifications, materials, description and quantities, security, insurance, completion date, etc.

3. ADVERTISING

All Tender/RFP Calls shall be advertised in the Municipal Newsletter and on the Municipal Website. Tender/RFP Calls may be advertised in local and regional newspapers, and/or trade newspapers and publications, and/or bid publication and distribution websites (ie. Biddingo, MERX etc.)

Quotation Calls may be advertised at the discretion of the Requisitioning Department Head.

The Requisitioning Department Head should allow for a minimum of two weeks advertising for the bid project.

4. DISTRIBUTION

Packages may be picked up in person at the Clerk's Office during regular business hours, forwarded by email in PDF format or downloaded via the municipal website at www.redlake.ca. Packages will not be faxed.

A *Registration Form* shall be completed in order to register proponents/bidders. This will guarantee notification of addendums (if any), and provide the ability to ask questions related to the bid document. Those who do not complete a *Registration Form* are responsible for obtaining all addendums associated with the project. The Municipality of Red Lake will not be responsible for misinformed proponents/bidders who neglect to complete this form.

The *Registration Form* shall be returned immediately to the Clerk's Office via in person, email or fax.

5. CONTENTS

Tender/RFP/Quotation documents will be prepared by and in accordance to the Requisitioning Department and forwarded to the Clerk's office for distribution. Added to the document will be a *General Instruction Sheet*, *Registration Form* and *Tender/RFP/Quotation Process Policy*, which will comprise the all encompassing "package".



The Corporation of the Municipality of Red Lake

FINANCIAL SERVICES AND CONTROL POLICY MANUAL

Subject: Tender/Request for Proposal/ Quotation Process	Approval Date: January 19, 2015	By-Law No. 02-2015 <i>Amended by By-Law No. 43-2015</i> <i>Amended by By-Law No. 67-2016</i>
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6. SUBMISSION

Two (2) original copies of the bid document must be received by the Clerk's office, unless the bid document specifies otherwise, and must be in a **sealed envelope**, with the contents of the envelope clearly marked. The Clerk's office may provide a pre-supplied label.

Submissions must be legible, written in ink or typed, with the unit price for the item(s) required and other entries clearly shown, unless the bid document permits otherwise.

Bid documents must not be restricted by any statement added to the bid document or a covering letter, or must not have alterations.

Adjustments by telephone, fax, letter or email for a bid document already received will not be considered. The proponent/bidder desiring to make adjustments to a bid document must withdraw the submission and supersede it with a new submission before the closing date and time.

Erasures, overwriting or strike outs will render the submission null and void.

7. RECEIVING

Acceptance of bid documents will close at the time and date specified in the Tender/RFP/Quotation bid document.

The Municipality will not receive bid documents via fax or email. In the event that a submission is received by mail and the outer envelope is inadvertently opened by Clerk's office staff, the envelope shall be resealed and a note will be attached to the envelope explaining same and signed by the individual.

The Clerk's office will maintain a running list of submissions, to be kept up to date as time permits. The list of submissions and how many submissions have been received shall remain confidential until the opening, at which time information shall be disclosed in accordance to the Procurement of Goods, Services or Construction and Disposal of Assets By-Law.

The Clerk's office will ensure the safekeeping of submitted packages between the time of receipt and opening.



The Corporation of the Municipality of Red Lake

FINANCIAL SERVICES AND CONTROL POLICY MANUAL

Subject:

Tender/Request for
Proposal/ Quotation Process

Approval Date:

January 19, 2015

By-Law No.

02-2015

Amended by By-Law No. 43-2015

Amended by By-Law No. 67-2016

When the bid document is received, the envelope shall remain sealed and be time and date stamped accordingly. If a time stamp is not available, the time received shall be noted in ink and initialled by the receiver.

Bid documents submitted to the Municipality will be handled accordingly:

- i) Whereby the outer courier envelope is unsealed, and the inner documents are not in a sealed envelope – the submission will not be accepted.
- ii) Whereby the outer courier envelope is sealed, but the inner documents are not in a sealed envelope – the submission will not be accepted.
- iii) Whereby the outer courier envelope is unsealed, but the inner documents are in a sealed envelope – the submission will be accepted.
- iv) Whereby the outer courier envelope is sealed, and the inner documents are in a sealed envelope – the submission will be accepted.

Regardless of the time a bid document is received by the Municipality, the envelope shall be time and date stamped.

8. LATE SUBMISSIONS

Bid documents received after the closing time will not be considered.

If a bid document is received after the deadline for submissions, it shall be returned unopened to the proponent/bidder at the time of delivery, if possible. If a late bid document is to be delivered, it shall be accompanied by letter, signed by the Requisitioning Department Head, stating that the bid document could not be accepted due to late arrival. If a late bid document is received without a return address on the outside envelope, it shall be forwarded to the Requisitioning Department Head who will open it and obtain the address and return the envelope and its contents accordingly. A letter will state why the envelope could not be returned unopened.

The Clerk's office will check the mail daily during regular business hours. On the day of a Tender/RFP/Quotation closing, the mail will be checked preceding the bid document closing time.

The Municipality of Red Lake assumes no responsibility for bid documents received after the closing date and time.



The Corporation of the Municipality of Red Lake

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9. WITHDRAWAL PROCEDURES – PRIOR TO CLOSING

A bid document may be withdrawn at any time up to the official closing time. The request shall be in writing to the Clerk's office on official company letterhead bearing the signature of the same person as in the originating bid document submitted or a designate. The Clerk's office will accept letters of withdrawal in person, by fax or by email. **Telephone requests shall not be considered.**

Letters of withdrawal shall be attached to the bid document envelope. Receipt of the bid document will be announced at the opening, reporting that the bid document has been "Withdrawn", and the envelope to remain unopened.

After the opening and subsequent award, the withdrawn bid document shall be returned to the submitting proponent/bidder.

10. RE-SUBMISSION

The withdrawal of a bid document prior to the closing time does not disqualify a proponent/bidder from submitting another bid document on the same contract.

A proponent/bidder who has already submitted a bid document may submit a further bid document at any time up until closing. The last submission received shall supersede and invalidate all bid documents previously submitted by the same proponent/bidder.

11. CANCELLATION

When in the opinion of the Municipality of Red Lake it is advisable to cancel a Tender/RFP/Quotation Call, an advertisement shall be inserted in the same media originally used – municipal newsletter and website (as practicable) stating that the Tender/RFP/Quotation Call has been cancelled, the reason for such cancellation and whether or not the Tender/RFP/Quotation Call will be re-advertised. Each registered proponent/bidder who obtained a package shall be emailed or faxed written notice of the cancellation of the Tender/RFP/Quotation Call and packages received shall be returned unopened and by mail to the proponent/bidder.



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12. EXTENSION TO CLOSING

The Municipality of Red Lake reserves the right to extend the closing date of a Tender/RFP/Quotation Call. Extensions to closings shall be communicated directly to all **registered** proponents/bidders, via email or fax. In addition to the foregoing, if the preparation of a Municipal Newsletter coincides with the extension date, and providing that there is ample notice to the public regarding same, the closing extension may be communicated via Municipal Newsletter and/or Municipal Website.

13. ADDENDUMS

Addendums will be made available for pick-up in person, as well as via email or fax for those proponents/bidders who are registered. Completion of the *Registration Form* is imperative in order to keep proponents/bidders up to date regarding changes to the bid document. Notification of addendums cannot be assured without the completion of a *Registration Form*. Those who do not complete a *Registration Form* are responsible for obtaining all addendums associated with the project. The Municipality of Red Lake shall not be responsible for misinformed proponents/bidders who neglect to complete this form.

All questions relating to bid documents, including matters of clarification or otherwise, shall be directed to the Requisitioning Department Head in written form and emailed to clerk.registration@redlake.ca

Responses to questions will be communicated by way of an addendum prepared by the Requisitioning Department Head. The Requisitioning Department Head will be identified within the bid document to whom all questions shall be directed.

A deadline for submission of questions may be established at the discretion of the Requisitioning Department Head as specified in the Tender/RFP/Quotation Call package. If deemed necessary, the Requisitioning Department Head may extend the date of closing to provide bidders proponents/bidders with sufficient response time to addendums.

Addendums form part of the bid document and shall be submitted along with the originally distributed bid document.



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14. OPENING

Completed bid documents will be publicly opened at the Municipal Office, Council Chambers, as soon as possible after the closing time, and on the day specified in the Tender/RFP/Quotation Call document.

The Requisitioning Department Head, along with a minimum of one (1) staff person from the Clerk's office, are to be in attendance at openings.

Members of the public attending are required to sign in at the opening.

- a) Tender Openings – Tender amounts shall be read out along with the bidder's name and recorded by a staff person from the Clerk's office.
- b) RFP Openings – RFP amounts shall not be read out, but the proponent's name shall be read out and recorded by a staff person from the Clerk's office.
- c) Quotation Openings – Quotation amounts shall not be read out, but the proponent's name shall be read out and recorded by a staff person from the Clerk's office.

Openings shall be conducted per project, and not simultaneously within the same public opening. The next Tender/RFP/Quotation Call opening shall follow upon conclusion of the prior opening.

The Municipality of Red Lake is not responsible for any irregularities during the reading of information and will review and correct accordingly.

Results are unofficial upon completion of the opening process. Any decision as to acceptance or rejection of submissions due to irregularities shall not be made until a review by the Requisitioning Department Head or consulting firm has been conducted, and all proponents/bidders will be instructed not to conclude any particular award results from the opening itself.

Where two or more bid documents are submitted in the same envelope, the one bearing the lower price shall be considered as the valid document.



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Where two or more bid documents are submitted by the same proponent/bidder, and no withdrawal request has been received, and where both submissions are identical, only the submission received and time and date stamped at the latest time shall be considered.

Bid documents will be returned to the Requisitioning Department Head and/or Consulting Firm or Selection Committee, whichever the case may be, for evaluation.

Non-Budget Approval

If the project has not been included in an approved budget:

The Requisitioning Department Head, in consultation with the Consulting Firm, and/or Selection Committee, whichever the case may be, will prepare a staff report with a recommendation to Committee of the Whole or Council, along with a copy of the Unofficial Results Form, for the award of the project. The award will be formalized by a By-Law.

Post-Budget Approval

If the project has been included in an approved budget:

The Requisitioning Department Head, in consultation with the Consulting Firm, and/or Selection Committee, will prepare an Internal Memo with recommendation to the CAO, along with the Unofficial Results Form, for the award of the project. The award will be formalized by a By-Law. The Internal Memo/Unofficial Results Form shall accompany the By-Law for Council's information only.

Public Information

Upon the opening of an RFP/Quotation, the names of proponents become public information, with the exception of the total price. A copy of the completed *Unofficial Results Form* is available to all registered proponents, but the total price will be blackened out.

Upon the opening of a Tender, the names of bidders and the total price become public information. A copy of the *Unofficial Results Form* is available to all registered bidders.



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The *Unofficial Results Form* will form part of the Staff Report and will appear on an agenda of either a Committee of the Whole or Council meeting, at which time all information contained on the form, becomes public information.

Awards will be communicated by letter advising both successful and unsuccessful proponents/bidders.

RESERVES THE RIGHT

The Municipality of Red Lake reserves the right to accept/reject/cancel or re-advertise any Tender/RFP/Quotation Call. The lowest and/or any bid not necessarily accepted.

The Municipality of Red Lake reserves the right to define who can be qualified to bid for work or supply goods and services to the Municipality and reserves the right to exercise its intent to not contract with persons for the provision of goods and services who have delinquent accounts with the Municipality in accordance to the Qualified Suppliers Policy (Section 4.12 – Financial Services and Control PolicyManual)

The Corporation of the Municipality of Red Lake



REGISTRATION FORM

Packages will be available for pick-up in person, by email, or via the municipal website at www.redlake.ca.

Addendums to bid documents will be forwarded to all registered proponents/bidders upon completion of this form in order to **guarantee notification and receipt of addendums** (if any). Those who do not complete a *Registration Form* are responsible for obtaining all addendums associated with this project. The Municipality of Red Lake shall not be responsible for misinformed proponents/bidders who neglect to complete this form.

Addendums become part of the bid document and shall be submitted along with the originally distributed bid document.

Please return the completed form **in person, by email to clerk.registration@redlake.ca or by fax to (866) 681-2954.**

PROJECT NAME	
CLOSING DATE	
COMPANY NAME	
PRINCIPLE CONTACT	
ADDRESS	
ADDRESS (LINE 2)	
CITY AND PROVINCE	
POSTAL CODE	
TELEPHONE	()
FACSIMILE	()
EMAIL ADDRESS	
DATE:	

The Corporation of the Municipality of Red Lake



UNOFFICIAL RESULTS FORM

RFP/QUOTATION RESULTS

Project Name: _____

Closing Date and Time: _____

No.	PROPONENT'S NAME	TOTAL BASE AMOUNT INCLUDING HST (NOT TO BE READ ALOUD – RECORDED ONLY)
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10		

Requisitioning Dept. Head Signature: _____

Clerk's Dept. Signature: _____

The Municipality of Red Lake is not responsible for any irregularities during the reading of information and will review and correct accordingly.

***THE ABOVE RESULTS ARE PRELIMINARY AND NO CONCLUSION OF AWARD SHOULD
BE MADE FROM THE INFORMATION ABOVE***



UNOFFICIAL RESULTS FORM

TENDER RESULTS

Project Name: _____

Closing Date and Time: _____

No.	BIDDER'S NAME	TOTAL BASE AMOUNT INCLUDING HST
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10		

Requisitioning Dept. Head/Staff Lead Signature: _____

Clerk's Dept. Signature: _____

The Municipality of Red Lake is not responsible for any irregularities during the reading of information and will review and correct accordingly.

***THE ABOVE RESULTS ARE PRELIMINARY AND NO CONCLUSION OF AWARD SHOULD
BE MADE FROM THE INFORMATION ABOVE***



ATTENDANCE FORM – TENDER/RFP/QUOTATION OPENING

Project Name: _____

Closing Date and Time: _____

Name (Print)	Title	Company	Signature



MANDATORY SITE MEETING ATTENDANCE FORM

Project Name: _____

Site Visit Location/Date and Time: _____

Name (Print)	Title	Company	Signature



GENERAL INSTRUCTIONS

1. All bid documents must be submitted in accordance to the location, date, time and manner as specified in the Tender/RFP/Quotation Call.
2. All **bid documents** and **corresponding addendums** must be submitted in a **sealed envelope**, and clearly marked as to its contents in ink or typed form, or by a pre-supplied label by the Municipality of Red Lake.
3. As submissions are received, they are time and date stamped by the Clerk's office at the Municipal Office to ensure compliance with the closing date and time.
4. The Municipality of Red Lake will not accept **faxed or emailed bid documents**.
5. Late submissions will not be accepted and will be returned unopened to the receiver at the time of submission and if not possible, shortly thereafter by regular mail.
6. Openings are a public process and will be held in the Council Chambers, Municipal Office at the time of closing or shortly thereafter, and on the date as specified in the Tender/RFP/Quotation Call documents.
7. For tenders, the name of the bidder and the total amount will be read aloud and duly recorded. For RFPs and Quotations, the name of the proponent will be read aloud and recorded, but not the total amount.
8. All members of the public in attendance at the opening are required to sign the *Attendance Form*.
9. Following the opening, the completed *Unofficial Results Form* and accompanying bid documents will be given to the Requisitioning Department Head for evaluation.

The lowest and/or any bid not necessarily accepted.

The Municipality of Red Lake reserves the right to accept/reject, cancel/re-advertise any Tender/RFP/Quotation Call.

BID IRREGULARITIES

A Bid Irregularity is a deviation between the requirements (terms, conditions, specifications, special instructions) of a bid request and the information provided in a bid response.

For the purposes of this policy, Bid Irregularities are further classified as “**Major Irregularities**” or “**Minor Irregularities**”.

A “**Major Irregularity**” is a deviation from the bid request that affects the price, quality, quantity or delivery, and is material to the award. If the deviation is permitted, the proponent/bidder could gain an unfair advantage over competitors. The Requisitioning Department Head must reject any bid, which contains a major irregularity.

A “**Minor Irregularity**” is a deviation from the bid request, which affects form, rather than substance. The effect on the price, quality or delivery is not material to the award. If the deviation is permitted or corrected, the proponent/bidder would not gain an unfair advantage over competitors. The Requisitioning Department Head may permit the proponent/bidder to correct a minor irregularity.

Mathematical Errors – Rectified by Staff

The Treasurer or designate will correct errors in mathematical extensions and/or taxes, and the unit prices will govern.

Action Taken

The Requisitioning Department Head will be responsible for all action taken in dealing with bid irregularities, and acts in accordance to the nature of the irregularity:

- Major Irregularity (Automatic Rejection)
- Minor Irregularity (Proponent/Bidder May Rectify)
- Mathematical Error (Additions or Extensions) as above

In the event that the Proponent/Bidder withdraws a bid due to the identification of a Major Irregularity, the Municipality may disqualify such Proponent/Bidder from participating in Municipal Tenders/RFP/Quotation Calls for a period of up to one (1) year.

BID IRREGULARITIES – SUMMARY

Item	Description	Major	Minor	Action
1.	Faxed or Emailed Bid Documents	X		Automatic Rejection
2.	Late Bids (By Any Amount of Time)	X		Automatic Rejection
3.	Bid Completed in Pencil	X		Automatic Rejection
4.	Bid Surety not submitted with the bid when the bid request (or any addendum) indicated as such	X		Automatic Rejection
5.	Execution of Agreement to Bond: a) Bond Company Corporate Seal or Equivalent proof of authority to bind company or signature missing b) Surety Company not licensed to do business in Ontario	X		Automatic Rejection
6.	Execution of Bid Bonds: a) Corporate Seal or Equivalent proof of authority to bind company or signature of Proponent/Bidder or both missing b) Corporate Seal or Equivalent proof of authority to bind company or signature of Bonding Company missing	X		Automatic Rejection
7.	Other Bid Security: Cheque which has not been certified	X		Automatic Rejection
8.	Proponent/Bidder not attending mandatory site meeting by a qualified representative of the organization	X		Automatic Rejection
9.	Unsealed Tender Envelopes (envelope containing tender documents – not outer (courier) envelope)	X		Automatic Rejection
10.	Proper Response Envelope or Label Not Used/Envelope does not indicate project name		X	Acceptable if received on time
10.	Pricing or Signature Pages Missing	X		Automatic Rejection
12.	Insufficient Financial Security (i.e. No deposit or Bid Bond or Insufficient Deposit	X or	X	a)Where security is required and amount is not specified in request, Automatic Rejection unless insufficiency is de minimus (trivial or insignificant) b) Where security is required and amount of security is specified in request, Automatic Rejection
13.	Bid Received on documents other than those provided in request	X		Not acceptable unless specified otherwise in request – Automatic Rejection
14.	Execution of Bid Document – Proof of authority to bind is missing	X		Automatic Rejection

BID IRREGULARITIES – SUMMARY – CONTINUED

Item	Description	Major	Minor	Action
15.	Part bids (i.e. all items not included in bid)	X or	X	Acceptable unless complete bid has been specified in the request
16.	Bids containing minor clerical errors		X	Two (2) working days to correct initial errors electronically (email or fax) but originals must follow. Municipality reserves the right to waive initialing and accept bid
17.	Uninitialed changes to request documents which are minor (i.e. proponent's/bidder's address in amended by overwriting but not initialed)		X	Two (2) working days to correct initial errors electronically (email or fax) but originals must follow. Municipality reserves the right to waive initialing and accept bid
18.	Alternate Items Bid in Whole or in Part		X	Available for further consideration unless specified otherwise in request
19.	Unit Prices in the Schedule of Prices have been changed, but not initialed		X	Two (2) working days to correct initial errors electronically (email or fax) but originals must follow. Municipality reserves the right to waive initialing and accept bid
20.	Other Mathematical errors which are not consistent with the unit prices		X	Two (2) working days to initial corrections electronically (email or fax) but originals must follow. Unit prices will govern
21.	Pages requiring completion of information by proponent/bidder are missing	X		Automatic Rejection
22.	Bid Documents which suggest that the proponent/bidder has made a major mistake in calculations or bid	X or	X (depends on outcome of consultation with solicitor)	Consultation with a Solicitor on a Case-by-Case basis and referenced within the staff report if applicable

NOTE: The above list of irregularities should not be considered all-inclusive. The Requisitioning Department Head, in consultation with the Treasurer or designate, will review minor irregularities not listed. The Requisitioning Department Head may then accept the bid or request that the proponent/bidder rectify the deviation.