



Town of South Bruce Peninsula

Tender 19-16

Landscaping – Sauble Town Square

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The Town of South Bruce Peninsula is requesting tenders for landscaping work for the Sauble Town Square Project located at 7 Lakeshore Boulevard North in Sauble Beach, Ontario. Sealed bids will be received at the Town of South Bruce Peninsula Municipal Office until **3:00 pm** local time on **April 16, 2019**.

Bid packages and details may be obtained from the Town of South Bruce Peninsula Municipal Office, at the address below, or on the Town website at www.southbrucepeninsula.com

Each tender must be accompanied by a bid deposit in the amount of 10% of the bid. A certified cheque or bank draft payable to the Town of South Bruce Peninsula will be the only form of bid deposit accepted.

Tenders are subject to a formal contract being prepared and executed. Contract award is subject to Town of South Bruce Peninsula approval and subject to budgetary constraints. The lowest or any bid will not necessarily be accepted.

Brad McRoberts, MPA, P. Eng.
Chief Administrative Officer
Town of South Bruce Peninsula
315 George St., PO Box 310
Warton ON N0H 2T0
(519) 534-1400

Information to Bidders

1 General

Sealed tenders will be received until **April 16, 2019 at 3:00 pm** in a sealed envelope clearly marked with the following:

Landscaping – Sauble Town Square
Tender 19-16

Town of South Bruce Peninsula
Attention: Brad McRoberts, MPA, P. Eng.
Chief Administrative Officer
315 George St, PO Box 310
Warton ON, N0H 2T0

The envelope is to include the bidding company name and return mailing address.

The bid must be submitted on the tender forms as provided by the Town of South Bruce Peninsula. No changes may be made to bids after they have been received. If more than one (1) tender is submitted by a bidder, the only one considered and opened will be the envelope with the most recent time/date of receipt. Electronically transmitted tenders (i.e. fax or email) will not be considered.

2 Tender Requirements

The following **must** be completed and submitted with your bid:

- Tender Form T-1
- Tender Deposit (10% of the bid)
- Statement by Bidder
- Addendum(s) (If any)

The envelope is to include the bidding company name and return mailing address and reference the tender number.

Bidders are required to prepare their bid in accordance with this tender document, as well as the Town of South Bruce Peninsula's Purchasing Procedures (<https://southbrucepeninsula.civicweb.net/filepro/documents/33329?preview=42721>). The successful bidder will be required to enter into a contract with the Terms and Conditions as set out in the tender.

Bids shall be submitted on our tender form only.

The bidder must submit a tender deposit in the amount of 10% of the total tender which will be held for performance security on the successful bidder. A certified cheque or bank draft, payable to the Town of South Bruce Peninsula, will be the only form of tender deposit accepted.

Tenders that do not comply strictly with our terms and conditions or bids which are incomplete, obscure or made subject to further conditions or qualified may be rejected as informal or disqualified by the Town of South Bruce Peninsula.

A bid may be withdrawn any time prior to closing.

The Town does not bind itself to accept the lowest or any tender. Bids must be legible and completed in ink or typewritten with all blanks filled in.

Within the bid submission, if the amount bid for an item does not agree with the extension of the estimated quantity and the bid unit price, the unit price shall govern and the amount of the total bid price shall be corrected accordingly.

The Town of South Bruce Peninsula reserves the right in its sole discretion to reject any or all bids, and the lowest or highest bid as the case may be will not necessarily be accepted.

3 Insurance

Upon award of the contract, the successful bidder must furnish to the Corporation, at his/her cost, a certified copy of a liability insurance policy. All minimum coverage is detailed below:

1. Commercial General Liability insurance policy not less than \$2,000,000 per occurrence, which insures against third party claims for bodily injury (including death), personal injury and/or property damage as a result of actual or alleged negligence of the Contractor. This policy shall include:
 - a. The Town of South Bruce Peninsula as Additional Insured
 - b. Cross Liability / Severability of Interests clause
 - c. Contractual Liability
 - d. Minimum thirty (30) day's written notice of cancellation or non-renewal to the Municipality

The Liability Insurance Policy and/or endorsements shall be satisfactory to the Corporation. The insurance coverage noted above shall be maintained in force throughout the term of the successful bidder's contract agreement.

4 Equipment

The successful bidder shall furnish and maintain all such equipment as is considered necessary for conducting the work in an acceptable manner and at a satisfactory rate of progress. All equipment, tools, and machinery used for handling materials and executing any part of the work shall be maintained in a satisfactory, safe efficient working condition. Equipment used by the successful bidder shall be such that no injury to the workers or property will result from its use. The successful bidder shall be responsible for initiating, maintaining and supervising all safety precautions and programs in connection with the work and services performed hereunder. The successful bidder shall provide reasonable protection to prevent property loss or damage and/or personal injury to persons, including but not limited to employees performing such work and all other persons who may be affected thereby.

The successful bidder shall be responsible and accept all liability for the licensing, inspections and any compliance with federal, provincial or municipal laws as they pertain to the vehicles to be used. Furthermore, the successful bidder will furnish to the Town any and all vehicle safety certificates on the vehicles to be used under the contract if requested.

Where a vehicle is hauling material for use in the contract, in whole or in part upon a public highway and where motor vehicle registration is required for such vehicle, the successful bidder shall not cause or permit such vehicle to be loaded beyond the legal limit as specified under the *Highway Traffic Act*, whether such vehicle is registered in the name of the successful bidder or otherwise.

The equipment must be capable of adjustment to suit all operating conditions. Bidders shall make available all equipment for inspection by the Town prior to execution of the contract.

The Town reserves the right at its sole discretion to reject any bid submission or not enter into an agreement with any bidder if it is felt that any equipment is inappropriate for the execution of the contract.

5 Bribery or Corrupt Practice

Should the successful bidder or any of his agents give, or offer any gratuity to, or attempt to bribe or influence any member of the Town Council, officers or servants of the Town, the Town of South Bruce Peninsula shall be at liberty to cancel the contract forthwith or to direct the Town to take the whole or any part of the works out of the hands of the successful bidder under the same provisions as those specified.

6 Assignment and Sub-Letting

Potential bidders should be aware that the successful contractor shall not assign or sublet the contract or any part thereof or any benefit or interest therein or thereunder, without the written consent of the Town of South Bruce Peninsula.

7 Employees

The successful bidder agrees that the Town of South Bruce Peninsula is not to be deemed the employer of the successful bidder nor its personnel under any circumstances whatsoever.

Should any overseer, mechanic, driver or workman employed on or about the work or in connection therewith give any just cause for complaint, the Town shall notify the successful bidder, in writing, stating the reasons therefore and the successful bidder shall dismiss such persons forthwith and he shall not again be employed by the successful bidder on any Town of South Bruce Peninsula work without the written consent of the Town.

8 No Smoking Policy

The successful bidder, as well as their employee(s), must at all times abide by the Town's No Smoking Policy, Policy D.6.1, as well as any and all provincial and federal smoking regulations, when performing the work under the contract agreement.

9 Working Safely

The successful bidder shall provide adequate protection for workers and the public at all times under the applicable Federal and Provincial Statutes, in accordance with all municipal by-laws and regulations together with any additional safety measures that may be necessary. The successful bidder shall provide and maintain the necessary first aid items and equipment as called for under the First Aid Regulations of the Workplace Safety and Insurance Act and Occupational Health and Safety Act, and the Ontario Electrical Safety Code as applicable to the scope of work.

The successful bidder shall ensure that all employees are provided with and instructed in the use of safety equipment as required by the Occupational Health and Safety Act and by other regulations. Normal safety precautions should be observed while around and operating equipment.

The successful bidder shall observe and comply with all Municipal and Provincial safety regulations and shall obtain and pay for all permits, fees, etc. that may be applicable in carrying out the work.

The successful bidder must ensure that during the performance of the work of the contract, its personnel are equipped and wear appropriate personal protective equipment: footwear, head protection, etc.

A copy of the Health and Safety Policies of the Town of South Bruce Peninsula is available to the successful bidder upon request. The successful bidder is required to comply at a minimum with the safety standards of the Town of South Bruce Peninsula. The successful bidder shall provide a copy of their own Health and Safety Policy upon request.

The Town of South Bruce Peninsula retains the right to stop the successful bidder's work without penalty to the Corporation if the bidder does not comply with the Occupational Health and Safety Act, and the Health and Safety Policies and Procedures of the Town of South Bruce Peninsula, or creates an unacceptable health and safety hazard.

The successful bidder shall be responsible for and shall pay all dues and assessments payable under the *Workplace Safety and Insurance Act*, the *Employment Insurance Act* or any other *Act*, whether Provincial or Federal, in respect to all his employees or operations and shall, upon request, furnish the Town of South Bruce Peninsula with satisfactory evidence that as, the successful bidder, the provisions of any act have been complied with.

The successful bidder will provide to the Town a WSIB Clearance Certificate or proof of WSIB Independent Operator Status prior to the execution of any contract.

10 Accessibility Regulations for Contracted Services

In accordance with Ontario Regulation 429/07, Accessibility Standards for Customer Service Sect. 6, every provider of goods and services shall ensure that every person who deals with members of the public or participates in the developing of the service providers policies, practices and procedures governing the provision of goods and services to members of the public, shall be trained on the following:

1. How to interact and communicate with persons with various types of disability.
2. How to interact with persons with disabilities who use assistive devices or require the assistance of a guide animal, or a support person.
3. How to use equipment that is available on premises that may help in the provision of goods or services.
4. What to do if a person with a particular type of disability is having difficulty accessing the provider's goods or services.
5. Information on the policies, practices and procedures governing the provision of goods and services to people with disabilities.

Contracted employees, third party employees, agents and others that provide customer

service on behalf of the Town of South Bruce Peninsula must meet the requirements of Ontario Regulation 429/07 with regard to training. In accordance with Ontario Regulation 429/07 a document describing the training policy, a summary of the contents of the training and details of training dates and attendees must be submitted to the Town of South Bruce Peninsula upon request.

11 Other Rights

No tender, proposal, or quotation will be accepted from any person or company which has a claim or instituted a legal proceeding against the Town or against whom the Town has a claim or instituted a legal proceeding with respect to any previous contract without prior approval of Council.

12 Freedom of Information and Ownership of Documents

Any personal information required on the quotation forms is received under the authority of the Municipal Freedom of Information and Protection of Privacy Act. This information will be an integral component of the quote submission.

All written quotations received by the Town become a public record and once a quotation is accepted by the Town, all information contained in them is available to the public, including personal information. Bidders may mark any part of their submission as confidential except for the total contract/submission price and the bidder's name. The Town will use its best efforts not to disclose any information so marked but shall not be liable to a bidder where information is disclosed by virtue of an order of the Privacy Commissioner or otherwise as required by law. Upon award, the Town may release the name of the successful bidder and the total bid price of the successful bidder.

Questions about collection of personal information and the Municipal Freedom of Information and Protection of Privacy Act, as amended, should be directed to:

Town of South Bruce Peninsula
Attention: Clerk
315 George St, PO Box 310
Wiarton ON, N0H 2T0
519-534-1400 ext. 122

All documents, including proposals, submitted to the Town of South Bruce Peninsula will become the property of the Town. If bidders desire their quotation submission to be protected from disclosure under the above legislation, please provide a signed letter enclosed with the quotation outlining the part of the submission to be protected. This letter will not guarantee that there will never be disclosure, but it does lay the groundwork for handling an application for disclosure by a third party under this legislation.

13 Conflict of Interest

In addition to complying with the conflict of interest provisions, each bidder must declare in its submission any conflict of interest (actual or potential) which exists now or may exist in the future in respect of its participation in the quotation process, the submission of its quotation, and, if selected, the performance of its responsibilities. The Town will determine, in their sole discretion, whether any situation constitutes or may constitute a real or potential conflict of interest and reserves the right, in its sole discretion, to disqualify any bidder.

Bidders must also describe in the quotation, their process for identifying, disclosing, reporting and dealing with conflicts of interest that may arise in the future.

14 Payments

Payment by the Town of South Bruce Peninsula to the successful bidder will be made in accordance with the quotation bid and completion of the work to the satisfaction of the Town.

Upon completion of the work the successful bidder will submit an invoice to the Town of South Bruce Peninsula. Payment by the Town of South Bruce Peninsula to the successful bidder will be made within forty five (45) days of the date of the delivery of the invoice.

15 Sales Tax

The bidder will not include the Harmonized Sales Tax (HST) in the tender prices.

Scope and Specifications

1 Scope of Work

The Town is requesting tenders for landscaping work at the Sauble Town Square Project located at 7 Lakeshore Boulevard North in Sauble Beach, as outlined on the Drawings (attached).

There will not be a site meeting scheduled; it is recommended that bidders visit the location to familiarize themselves with the conditions.

Award is subject to budget. The Town makes no representation or guarantee as to the quantity of work to be performed. The Town of South Bruce Peninsula reserves the right to alter the work required as municipal budget constraints and Council direction allow.

2 Specifications

The Town is requesting tenders from qualified contractors to perform base preparation, site landscaping, and asphalt application at the Sauble Town Square Project located at 7 Lakeshore Boulevard North in Sauble Beach. The successful bidder shall be responsible for providing the appropriate grade at the site, applying granular materials, paver stone pedestrian walkways, topsoil, sod and seed in the grass areas, and providing final asphalt surface in the parking area, all per the attached design Drawings.

The Town has issued a separate tender for the electrical work; the successful bidder shall be responsible to coordinate the work with the contractor performing the electrical work to ensure timelines are met. The Town shall provide the successful bidder with the contact information for the electrical contractor.

2.1 General Restoration Requirements

All restoration shall be in accordance with OPSS 507, as well as the following:

2.1.1 Lawn Areas

100 mm of approved topsoil levelled and graded to conform to the existing ground, followed by nursery sod. The placement of topsoil shall be in accordance with OPSS 802 and the placement of sod shall be in accordance with OPSS 803. The successful bidder shall be responsible to ensure the grass catches.

2.1.2 Non-Lawn, Non-Roadway Areas

100 mm of approved topsoil levelled and graded to conform to the existing ground, followed by an approved seed and mulch application by hydro-seeding methods. The successful bidder shall be responsible to ensure the grass catches.

2.1.3 Paved Roadway

Where existing roadway is paved – apply 450 mm minimum of granular ‘B’, 150 mm of granular ‘A’, 40 mm of HL-3 asphalt over 50 mm of HL-4 asphalt. Where new asphalt is required against existing pavement, a stepped joint shall be prepared by removing 0.5 m wide by the depth of the existing surface course prior to paving.

The pavement structure provided for the parking lot and driveway is not intended to handle construction traffic; the successful bidder shall protect the sub-grade from construction traffic.

2.1.4 Concrete Surfaces

All disturbed or damaged concrete structures, such as sidewalks, curbs and gutter, etc., shall be removed and replaced.

All curb shown on drawing shall be concrete barrier curb as per OPSD 600.110, unless noted otherwise.

2.1.5 Settlements

Prior to the expiration of an agreed-to warranty period, the successful bidder shall repair all settlements. Settlements of lawns, non-lawns or non-roadway areas shall be restored by applying sufficient topsoil to the settled area followed by an application of approved seed and mulch. Asphalt settlements shall be restored by milling the deficient area followed by the placement of hot mix asphalt (HMA). All repairs shall be in accordance with OPSS 570, OPSS 572, and OPSS 310.

2.2 Granular ‘A’

The successful bidder shall supply to the site, place, fine grade, and compact granular ‘A’ material required in the roadway for the pavement structure.

Unless otherwise approved by the Town, pavement and granular base to be as follows:

- 50 mm HL-4 Base Asphalt
- 150 mm Compacted Granular ‘A’
- 350 mm Compacted Granular ‘B’

2.3 Pedestrian Walkways

The Eramosa stone pavers are to be supplied by an in-kind donation from Big Island Quarry. The successful bidder shall be required to provide all labour, equipment, and other materials to cut and install, as necessary, paver stones in accordance to drawings and specifications.

Unless otherwise approved by the Town, pathway and granular base to be as follows:

- 25 mm Eramosa Stone Pavers (in a mix of sizes)
- 25 – 38 mm Bedding Sand
- 150 mm Compacted Granular 'A'

Materials are to be placed in even layers.

The stone pavers shall be a mix of sizes (for example, 12"x12", 12"x24", 18"x18", 18"x24", and 24"x24") with mortar joints, filled with polymeric sand. The installation pattern shall be true to grade and free of movement, joints to not exceed 3 mm.

Detectable warning surface plates shall be clay red in colour and cast iron, installed according to OPSD 310.039 and as per the manufacturer's recommendations.

The successful bidder shall ensure finished surface is smooth and even throughout, and free of irregularities, in accordance with Reg. 191/11, Accessibility for Ontarians with Disabilities Act, 2005.

2.4 Underground Sprinkler System

The successful bidder shall supply all labour, equipment and materials to install a new underground irrigation system on site to current industrial standards, complete with all accessories necessary for proper function.

The successful bidder shall submit a drawing, indicating proposed location of new underground irrigation system, including sprinkler heads, valves and piping for review and approval by the Town; the locations shall not conflict with other proposed features on the attached design Drawings.

Placement of sprinklers shall be located to achieve full, even coverage without spraying onto buildings, walkways, fences, pavement, etc.

The successful bidder shall obtain all required permits for the new irrigation system.

The new irrigation system shall include pop-up sprinkler heads adjusted to a proper grade to allow for walking and lawn maintenance without harm.

The irrigation system supplied and installed shall be able to be blown out at the end of each operating season for safe winter storage.

The successful bidder shall supply and install a programmable irrigation system with a controller set for infrequent wet weather or to run in the early morning (3am). All controls and timers for the system shall be installed in the pump room in the north-west former of the existing washroom building.

The new irrigation system shall be placed before topsoil and walkways; the sprinkler heads shall be clearly marked until all proposed site work is complete.

The successful bidder shall provide training for Town staff on the operation and programming of the irrigation system and return at the end of the first operating season to train/aid Town staff in the first blow out of the irrigation system. The successful bidder shall also provide “as recorded” drawings of the final layout of the irrigation system, manufacturer’s cut sheets for all components of the irrigation system, and an operation’s manual for the system.

A one-year warranty shall be included as part of the work.

3 Hours of Work

Work will be permitted from 7:00 am to 7:00 pm Monday to Friday. No work is to be performed outside of these hours unless permitted by the Town. Work is to be completed and coordinated with the Chief Administrative Officer.

4 Schedule

The Town requires the work to be completed by May 31, 2019.

5 Existing Structures and Utilities

The successful bidder will be responsible to obtain locates prior to commencing the work. The Town may be available to attend the site with the successful bidder and/or the locate company to assist with the location of the work. It is the successful bidder’s responsibility to locate, support, and maintain all existing structures and utilities within or adjacent to his work. Any damaged structure, utility or surface will be repaired or replaced to the satisfaction of the Town at the expense of the successful bidder.

6 Ontario Provincial Standard Specifications

The Ontario Provincial Standards (OPSS) shall apply to this project as determined by the Town and as specified on the Drawings. OPS Standards can be found online at: <http://www.ops.on.ca>

7 Access

The successful bidder shall maintain vehicular access along both Lakeshore Boulevard North and Second Avenue North. The successful bidder shall not stage equipment or materials on the roadway; there is sufficient room off of the Second Avenue North side of the property for staging. The successful bidder shall protect the work zone and ensure the safe passage of traffic in conformance with the MTO Traffic Control Manual for Roadway Work Operations.

8 Equipment

It is hereby understood and agreed that the successful bidder will provide the equipment and personnel to be used for the work. Only bidders having sufficient and adequate equipment to perform the work of this contract will be considered. The Town reserves the right to visit the bidder's premises to examine its resources.

Tender Form T-1

Item	Item Description	Total Lump Sum Price (Excluding HST)
1	Landscaping (including all labour, material and equipment to install Town-supplied pavers, supply and place topsoil, supply and place sod and supply and install underground sprinkler system) - per tender specifications and design drawings	\$
Total Price (Excluding HST)		
		\$

 Company Name

 Signature of Authorized Person

 Name (Please Print)

 Address

 E-mail Address

 Phone

 Fax

 Date

 Bidder's Initials

Sub-contractors: Enclose a list of any sub-contractors for work being performed; the Town reserves the right to approve or reject any/all sub-contractor(s)



Statement by Bidder

Bid Document Name: **Landscaping – Sauble Town Square**

Bid Document Number: **19-16**

Bidder Company Name: _____

Bidder Company Address: _____

1. I/We have reviewed all terms and conditions of all forms included as part of this bid package.
2. I/We have read and understand all of the terms and conditions of the forms included as part of this bid package.
3. I/We understand that if our bid is successful, all requirements of the successful bidder as outlined in this bid document will be completed by the time and in the format required.

Dated at _____ this _____ day of _____, 2019.

Witness

Signature of Authorized Person

Name (Please Print)

Position