

**CORPORATION of the TOWN of SMITHS FALLS Tender for Purchase of
Hilcrest Cemetery Columbarium
CONTRACT # _____ 17-CS-03 _____**



Sealed Tenders will be received in envelopes clearly marked as to contents by the Town Clerk at her office in the Town Hall, 77 Beckwith Street North, Smiths Falls, Ontario, until 11:00 am local time on

July 28, 2017

for the Purchase of 60 Niche Columbarium for the project for the Town of Smiths Falls Community Services Department.

Specifications and Form of Tender may be obtained from the Clerk's office.

Tenders will be opened in Public at 11:00am on July 28, 2017 in the Council Chambers at the Town Hall, 77 Beckwith Street North, Smiths Falls, Ontario.

Questions regarding this Tender may be directed to Eric Graham at the Community Services Department (tel: 613-283-4247).

The lowest or any Tender will not necessarily be accepted (see Acceptance of Tender portion of document).

AMENDMENTS TO BIDS SHALL NOT BE CONSIDERED OR ACCEPTED

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INFORMATION FOR BIDDERS

Tender Requirements:

The Tender submission must be fully completed and in the possession of the Clerk on or before the Tender Closing date and time. Tenders received after the closing time shall not be considered, but shall be returned unopened to the bidder.

The Tender submission must be signed by a duly authorized official of the organization bidding.

Please submit 3 copies of this tender document for review.

The tender must be legible, written in ink or typewritten, and all items must be bid unless otherwise specified. Erasures, overwriting or strike-outs must be initialled by the official signing on behalf of the organization.

Alternative proposals shall not be considered unless requested in the tender documents.

Any correspondence by mail or telephone, pertaining to adjustments or corrections to a Tender already submitted, shall not be considered. A bidder wishing to make adjustments to a tender must first withdraw the original tender and re-submit the alternative bid in accordance with the provisions contained herein prior to the closing.

Tenders received after the closing time shall not be considered, but shall be returned to the supplier unopened and the supplier shall be advised that the quotation was received late.

All suppliers requested to submit tenders shall be advised, by the Corporation of the Town of Smiths Falls (the "Corporation"), of all revisions, deletions, substitutions and additions to the specifications or of any extension to the closing time or of cancellation of the request for quotations (via an addendum). Suppliers who have submitted tenders prior to notification of any change shall be given the opportunity to withdraw and resubmit their tenders.

Tenders received on or before the date and time of closing shall become the property of the Corporation and shall be kept in safekeeping by the Clerk. Tenders received subsequent to the date and time of closing shall be returned unopened to the bidder.

Addendum to Contract Documents

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All revisions, deletions, substitutions, and additions to the tendering material shall be prepared in writing by the Cemetery Caretaker of the Corporation and consideration shall be given to the extension of the closing date. An advertisement setting out the new closing date shall be inserted in the publications originally used to advertise the tender. A copy of each addendum, including extension information, shall be mailed to each person who obtained tender documents **and acknowledgement of the addendum(s) must be included in the submitted bid.** In addition, it is desirable to give prior notice of the mailing by telephone. A copy of each addendum shall also be stapled to each set of tender documents not yet distributed. Bidders who have submitted tenders prior to the release of an addendum shall be given the opportunity to withdraw and resubmit their tenders.

When in the opinion of the Corporation it is advisable to cancel a tender call, an advertisement shall be inserted in the same publications originally used stating that the tender has been cancelled, the reason for such cancellation, and whether or not the tender will be recalled. Each person who obtained tender documents shall be mailed written notice of cancellation of the contract and all tenders received shall be returned unopened to the bidder.

Withdrawal Procedures

Any person who has submitted a bid on a tender may request that their tender be withdrawn. A withdrawal request shall be made in writing to the Clerk and the withdrawal shall be permitted if the request is made prior to the closing time. Withdrawn tenders shall be returned unopened to the bidder. The withdrawal of a tender shall not disqualify a bidder from submitting another tender for the same contract. Withdrawal requests received after the tender has closed shall not be permitted. The bidder shall be informed, during or after the opening, that the withdrawal request was received subsequent to the closing time.

Receiving Tenders

Tenders must be sealed and clearly marked as to the contents, and shall be submitted to the Town of Smiths Falls, Office of the Clerk, 77 Beckwith Street North, PO Box 695, Smiths Falls, Ontario, K7A 4T6. The tender shall be time and date stamped on the exterior of the unopened envelope. Tenders received on or before the date and time for closing of the tender shall become the property of the Corporation and shall be kept in safekeeping by the Clerk. Tenders received subsequent to the date and time for closing of the tender shall be returned unopened to the bidder.

The number of bids received and the names of bidders shall not be divulged prior to the tender opening.

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Tender Opening and Review

The Corporation shall endeavour to open all tenders promptly after the date and time of closing. Tender openings shall be open to the public and be attended by the Clerk, the Cemetery Caretaker, or their designate and two members of Council. Should the above attendees be unavailable, a new date and time for the opening shall be established immediately and all bidders shall be advised.

All tenders submitted shall be opened by the Clerk and the envelope and the submission for each individual shall be clipped together. The Clerk shall announce the name of the bidder, the general specifications, the total amount of each bid and the total number of bids received. All persons present at the Tender Opening shall be advised that the tenders will be referred to the Supervisor of Operations for review and that all persons submitting an improper bid will be notified as to the nature of the defect and whether the bid has been rejected. The Clerk shall promptly file all certified cheques or other security with the Treasurer for safekeeping and prepare a Summary of Tenders containing the name of each bidder, the general specifications, and the total amount of each bid. The Summary of Tenders shall be made available to the public.

The Clerk and the Supervisor of Operations will check the tenders to ensure that all tender requirements and conditions have been met. If a defect in the tender is discovered and if the CAO or Director deems it necessary, the tender will be rejected.

The Supervisor of Operations and the Committee shall consider price, delivery, and availability, compatibility, product specifications, Canadian content and supplier's experience in making its selection. If all matters are deemed equal, preference shall be given to a local bidder.

Evaluation of Tenders

The Corporation will assess all bids, including alternative proposals, to determine which bid offers the best overall value to the Town. The lowest price may not necessarily be the best value for the Corporation. Pricing is only one of several criteria that will be considered in assessing each bid. The designated person and/or appropriate Director and Chief Administrative Officer/Treasurer shall consider price, delivery and availability, economic benefit to the local economy, compatibility with other Town goods, warranties, product specifications and supplier's experience and repair facilities in making the recommendation to Council.

Acceptance of Tender

The Corporation reserves the right to accept or reject any or all Tenders, to negotiate with the successful tenderer and to waive irregularities and omissions, if

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in so doing the best interests of the Corporation will be served. No liability shall accrue to the Corporation for its decision in this regard. Any tender or part of tender will not necessarily be accepted. The lowest bid may not represent the best value to the Corporation and does not automatically qualify for acceptance.

The Corporation is not obligated to award a contract to any bidder pursuant to this tender. In addition, the Corporation may elect to reject any or all tenders for the following reasons:

- All of the tenders are outside the Corporation's budget for this project
- Council does not approve the purchase

Acceptance of the tender shall be in accordance with the Procurement By-Law of the Town of Smiths Falls. The successful bidder shall be advised of the acceptance by the Clerk and where appropriate that contract documents shall be supplied for execution. Where contract documents are required or when the goods are to be delivered in the near future, the bidder shall be advised that documents must be signed or goods received by a specific date. Failure by the successful bidder to comply with the above shall be grounds enough to permit the Corporation to accept the second most appropriate tender or cancel the contract and the bidder's security deposit shall be forfeited to the Corporation.

All unsuccessful bidders shall be notified as to the name of the successful bidder, save and except the second most appropriate candidate, and the deposit cheques or securities shall be returned with such notice. The deposit cheque or security of the top two candidates shall be returned no later than the date of execution of the contract documents or delivery of the goods.

Health and Safety

In order to protect the health and safety of all employees and to secure maximum benefit, services provided and goods obtained will comply with all standards, codes and regulations prescribed by law and by municipal requirements. Included in this requirement is the meeting of all details of appropriate safety requirements. e.g of legislated requirements; Occupational Health and Safety Act, and regulations pertinent to industrial establishments, CSA standards, Underwriters laboratories, electrical codes etc.

Failure to meet any of the above conditions may result in work stoppage or immediate suspension of the contract.

General Specifications:

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These specifications apply to the purchase of 1 columbarium (aluminum interior) defined in Appendix attached. Specifications not clearly defined herein shall be in accordance with good commercial practice and best quality suitable for the intended use.

While these specifications are specific with respect to detailed requirements, it is recognized that product development activity may have led to the availability of innovations in certain areas which, if incorporated in the units would improve the operation. Bidders are encouraged to submit such changes as alternate bids separate from the bid complying with the original specifications and acceptance of such alternate bids shall be at the discretion of the Corporation.

These specifications list only the major significant details of the material required. It is the supplier's responsibility to provide the material as intended by the owner.

Where minimum or maximum requirements are specified, the materials offered must meet or exceed these requirements, unless what is offered as an alternative to the items specified is deemed by the Town to be acceptable and meets the intent of the specifications.

In the event the bidder's response to the item(s) specified is not clear as to the compliance with the specifications, or is unanswered or unspecified, clarification may be requested by the Corporation verbally or in writing. Changes that affect the intent of the specifications or the price bid will not be acceptable. This clause shall not require the Corporation to request clarification(s) and is not intended to limit the ability of the Corporation to reject any tender.

Agreement to bond (if the estimated cost of project warrants). The Director of the appropriate Department shall in consultation with the Chief Administrative Officer/Treasurer consider inclusion of an Agreement to Bond for all projects in excess of \$50,000.00. If an Agreement to Bond is required, the successful bidder shall be required to submit a Performance Bond issued by an approved Bonding company for 100% of the amount of the tender prior to the execution of a contract by the Corporation.

Tenders shall be accompanied by a tender deposit, in the form of a certified cheque or other security acceptable to the Corporation, in an amount no less than 10% of the tender price and made payable to the Corporation of the Town of Smiths Falls. Tender deposit cheques or other security shall not be cashed or deposited unless the successful bidder fails to enter into a formal contract with the Corporation or fails to supply the goods tendered within a specified period of time. The security of the successful bidder shall be forfeit to the Corporation if the bidder fails to meet the above requirements. The security of all unsuccessful bidders, except the security of the second most appropriate bidder, shall be returned promptly after a tender has been accepted. The second most appropriate bidder's security and the

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successful bidder's security shall be returned no later than the date on execution of the contract or delivery of the goods or services.

Evidence of satisfactory Comprehensive General Liability Insurance must also be submitted. The Corporation of the Town of Smiths Falls will be added as Additional Insured on all policies. Evidence of insurance shall be provided, in a form satisfactory to the Corporation, on or before commencement of all works.