

THE CORPORATION OF THE TOWN OF ERIN



Request For Proposal 2018-01B

**BARRIER FREE ALTERATIONS
AND ELEVATOR**

TOWN OF ERIN

5684 Trafalgar Road
Hillsburgh, Ontario
N0B 1Z0



BUILDING DEPARTMENT

Tel: (519) 855-4407, Ext.224

Fax: (519) 855-4281

E-mail: paul.evans@erin.ca

May 25, 2018

The Town of Erin invites you to submit a proposal for:

Barrier Free Alterations and Elevator on the enclosed form.

Proposals are due in clearly marked "**Request for Proposal 2018-01B Barrier Free Alterations and Elevator**" envelopes or by e-mail, no later than **2:00 pm on June 29, 2018** at the following address:

Procurement Division
Town of Erin
5684 Trafalgar Road
Hillsburgh, ON N0B1Z0
RFP 2018-01B

OR

procurement@erin.ca

Proposals received after the closing time will be rejected and returned unopened to the bidder. The Town of Erin reserves the right to dismiss any or all proposals at their sole discretion. The lowest proposal will not necessarily be accepted.

Proposal may be subject to Council approval.

For any further information, please contact the person named below.

Paul Evans, CBCO, MAATO
Chief Building Official
Town of Erin
(519) 855-4407 ext. 224
paul.evans@erin.ca

INFORMATION TO BIDDERS

Proposal Opening and Closing

All proposals must be received on or before June 29, 2018 at 2:00 pm. In order for a proposal to be received, it must be delivered by courier, by hand, by postal service or my e-mail, and must be received by an authorized representative of the Town at the indicated address and clearly marked as to its content.

Acceptance of Proposals

Unless otherwise specified in these proposal documents, it is agreed that this proposal constitutes an irrevocable offer to provide the goods and/or services described herein for a period of sixty (60) calendar days from the closing date for the receipt of proposals. Acceptance by the Town is effective upon approval by its awarding authority without communication or notice to the bidder, although such notice will of course be given as expeditiously as possible.

Rejection of Proposals

Proposals may be rejected for any one of the following reasons:

- a. Proposals received after the closing.
- b. Incomplete proposals (all items not bid).
- c. Qualified or conditional proposals.
- d. Proposals not properly signed and sealed.

BIDDING REQUIREMENTS

Alteration or Withdrawal of Proposals

A proposal may be altered by submitting another proposal at any time up to the specified time and date for proposal closing. The last proposal received shall supersede and invalidate all proposals previously received by the Bidder for that RFP.

The Bidder may withdraw the proposal at any time up to the specified time and date for proposal closing by submitting a letter bearing the bidder's signature and seal and delivered to the Clerk of the Town. Such a submission must be received in sufficient time to be marked with the time and date of receipt.

Telegrams, fax transmissions, telephone calls and any other form of communication not outlined in these instructions.

Type of Contract for Services

The Corporation of the Town of Erin is soliciting proposals from qualified Proponents for the following:

1. Design, construction and installation of an elevator in the Town of Erin town hall building, travelling between Upper Level (ground floor) and Lower Level (basement).
2. One (1) site visit prior to submission of the RFP to view the building, meet with the Chief Building Official and/or other Town staff members.
3. Development of Construction Management Plan (CMP).
 - a. Details and timelines for all phases and aspects of the project including, but not limited to design, document production, coordination of construction, work to be performed and timing.
 - b. First preliminary CMP to be submitted to Town staff for review and comment no later than 10 business days after award of contract.
 - c. Revision(s) and resubmission(s) of preliminary CMP if/as necessary to be submitted to Town staff for review and comment. Revised CMP(s) to be resubmitted to Town staff no later than 5 business days from receipt of Town comments from review of preceding preliminary CMP.
 - d. Production of final CMP for review and approval to be submitted to Town no later than 5 business days from receipt of Town comments from preceding preliminary CMP.
4. On-site meetings. Attendees to include, but not limited to, proponent, Chief Building Official, site supervisor and any other Town staff members and/or tradespersons involved with specific aspect of meeting.
 - a. Initial meeting prior to construction commencement.
 - b. Weekly meetings throughout project to review progress of work to-date.
 - c. Additional meetings as deemed necessary by proponent, Chief Building Official and/or any other Town staff member.
5. Production of all drawings, details, specifications and pertinent documents for review and approvals by the Town for Architectural design, mechanical, electrical and finishes where applicable.
 - a. Research and present options for elevator mechanism. Elevator will be used for transport from upper level to lower level of building for persons and for regular office use.
 - b. Production of preliminary design drawings for review and approval by Town staff. Timelines for document submissions to be outlined in CMP.
 - c. Revision and resubmission of preliminary design drawings as necessary. Timelines for document submissions to be outlined in CMP.
 - d. Production and/or coordination of all documentation for permit(s) and construction. Timelines for document submissions to be outlined in CMP.
6. Research and obtain external grant opportunities.
 - a. Proponent to research possible grant opportunities which may be available through other levels of government and/or organizations.

7. Production and coordination of all documentation for construction tenders.
 - a. Proponent to organize and coordinate all aspects of construction tenders and bids. Timelines, details and particulars for tender submissions to be outlined in CMP.
8. Provide and/or coordinate general review during all stages of construction.
9. Coordination with all trades pertaining to all aspects of the construction.
10. Production and/or coordination of as-built drawings upon completion of project.
11. Provide final construction report.
12. Ensure project is completed on time and under budget.

Compliance with Applicable Laws

A condition of the Agreement is the requirement that the successful Proponent comply with all applicable laws of Ontario and Canada, including but not limited to the Occupational Health & Safety Act (Ontario), the Ontario Human Rights Code, the Pay Equity Act (Ontario), the Accessibility for Ontarians with Disabilities Act (AODA) and applicable privacy statutes in the Province of Ontario.

RFP Documentation

This RFP consists of this document and any subsequent addenda (if issued).

Definitions

Unless otherwise specified in this RFP, words and phrases have their prescribed meaning as set out in the Agreement.

- **Agreement** means the Agreement that the successful Proponent enters into with the Town.
- **Conflict of Interest** includes, but is not limited to, any situation where:
 - a) In relation to the RFP process, the Proponent has an unfair advantage or engages in conduct directly or indirectly, that may give it an unfair advantage, including but not limited to:
 - i) Having or having access to information in the preparation of its Proposal that is confidential to the Town and not available to other proponents;
 - ii) Communicating with any person with a view to influencing preferred treatment in the RFP process; or
 - iii) Engaging in conduct that compromises or could be seen to compromise the integrity of the open and competitive RFP process and render that process non-competitive and unfair.
 - b) In relation to the performance of its contractual obligations in a Town contract, the Proponent's other commitments, relationships or financial interests i) could or could be seen to exercise an improper influence over the objective, unbiased and impartial

exercise of its independent judgment; or ii) could or could be seen to compromise, impair or be incompatible with the effective performance of its contractual obligations.

- **Days** mean Business Days unless the term calendar days is specifically used.
- **Evaluation Team** means the individual(s) who have been selected by the Town to evaluate the Proposals, including, if deemed necessary, an oral presentation.
- **Municipality** or **Town** refers to the Corporation of the Town of Erin
- **Must** and **Shall** indicate a mandatory requirement that in the view of the Town must be substantially completed and complied with in order for a Proposal not to be rejected.
- **Prime Contractor** means a single Proponent that proposes to assume full contractual and financial liability for their participation. A prime contractor may or may not have sub-contractors.
- **Proponent** means the respondent to this RFP.
- **Proposal** means all the documentation submitted by the Proponent in response to the Request for Proposal, which has been accepted by the Town, in whole or in part. The terms "response" and "submission" are also used to mean Proposal.
- **Request for Proposal or RFP** means the Request for Proposal issued by the Town for goods or services and any addenda thereto.
- **Services** mean all services and deliverables to be provided by the Proponent to the Town.
- **Should** indicates a requirement that the Town would like the Proponent to address in its Proposal.
- **Subcontractor** means any Person having a contract with the Supplier for the performance of a part or parts of the Services.
- **Supplier** means the successful Proponent that has signed the Agreement.
- **Town Contact** means the person designated by the Town to be the contact person during the procurement process.

PROPOSAL REQUIREMENTS

Proponent Requirements

To fulfill the expectations and provide the services described in this RFP, Proponents must:

1. Have a thorough knowledge of the Building Code Act, the Ontario Building Code, accessibility and barrier free requirements and general construction principles and have proven project management and experience. Creativity and excellent interpersonal, written and verbal communication skills are essential.
2. Be aware of the sensitive nature of the information that may be acquired from the Municipality and the requisite level of confidentiality that may be required.

Proponent Profile

Proponents must provide a profile of the organization/individuals working on the project. This includes:

1. The name of the organization taking legal responsibility for the project and legal agreement. Include a brief description of the Proponent's corporate history, identification of main business fields and ownership structure.
2. Identify the main contact person to liaise with the Municipality's representative and a listing of key team members.
3. A summary of why the respondents believe his/her firm is qualified to undertake the project as described in this RFP. This should also include evidence of previous experience in construction design and coordination. Provide a minimum of three client references including the Company Name, Title of Project, a brief description of project size, scope, value and warranty / non-warranty services provided, Contact Person(s), Contact Title, Phone Number and Email Address.

Project Approach

Respondents to this RFP should demonstrate a clear understanding of the assignment including but not limited to:

1. One (1) site visit prior to submission of the RFP to view the building, meet with the Chief Building Official.
2. The provision of a concise construction management plan that is consistent with the project as described in this RFP. The work plan should include a description of the Proponent's methodology.
3. A proposed timetable to undertake each of the activities proposed. This will include, but not be limited to: the start and finish times for each activity, specific costs for each activity, the name of the persons who would be responsible for overseeing each activity, and the deliverables associated with each activity.
4. Their perceptions of the major obstacles, risks and other factors that will affect the success of this project and indicate how they plan to overcome these challenges. The key factors for measuring progress and success should be identified.

Proposal Requirements

Three (3) hard copies or one (1) softcopy if sending through e-mail of the Proponent's submission shall be submitted by 2:00pm local time on May 31, 2018. Submitted proposals in response to this RFP shall include:

1. Signing Page (see appendix A)
2. Proposal Covering and Acceptance Letter
3. Budget

- Proponents must clearly indicate the costs for each stage and activity of the Plan, with related taxes stated separately and a proposed payment schedule.
4. General Work Schedule
- The proponent must include a general scope of work schedule.

Remuneration and Agreement

The successful Proponent will be required to execute an Agreement with the Town in a format acceptable to the Town. The Agreement will be subject to the Town standard Terms and Conditions.

Among other things, the Agreement will provide that the Vendor will not undertake any work that is beyond the established terms of reference, without the written authorization of the Town. In particular, the fees directly associated with the provision of the Services will be the total cost of the work and will not be exceeded without the Town's written approval.

Proponent agrees to provide invoices for services outlined in this RFP as follows:

10% of total cost after approval of final CMP

10% of total cost after issuance of building permit

Remainder at completion of project and receipt of positive final inspection report from Chief Building Official

EVALUATION AND AWARD

Evaluation Criteria

Submitted proposals will be evaluated against criteria that will include:

- Creative and innovative approach to the project (15%)
- Work schedule/timelines (20%)
- Team experience, qualifications, and successful completion of similar projects (25%)
- Demonstrated understanding of the project and scope of work (15%)
- Fee structure to complete the project (25%)

Evaluation Team

An evaluation Team, comprised of staff from the Town will assess the Proposals. The Evaluation Team may, in addition to Town representatives, include external consultants and technical advisors.

Clarification

The Town reserves the right to contact any Proponent to seek clarification of the contents of the Proposal submission. The Town may investigate, as it deems necessary, the ability of the

Proponent to perform the Work and the Proponent shall furnish the Town all such information and data for this purpose as the Town may request.

References

Some scores assigned to various categories may be determined through reference checks.

Interviews

The Evaluation Team may elect to interview some or all of the Proponents and their key staff at its sole discretion.

Proposal Evaluation Process

The evaluation stage will consist of a scoring by the Evaluation Team of each qualified Proposal on the basis of the Rated Criteria of the written Proposals. The highest scored Proposal, representing best overall value to the Town, will be recommended for selection by the Evaluation Team.

In the event that the Town is unable to successfully execute an Agreement with the first ranked Proponent in a timely manner, the Town may invite the next ranked Proponent to finalize an Agreement with the Town.

Recommendation / Award

Recommendation for award of this Proposal will be based on the Proponent's overall total score, where it is in the best interest of the Town Part 1 and Part 2 may be awarded separately, the Town reserves the right not to award Part 2.

By responding to this RFP, the Proponent agrees to accept the recommendation of the Evaluation Team as final and binding.

Award of the Proposal will require the approval of Town Council.

TERMS AND CONDITIONS OF THE RFP PROCESS

Proponents to Follow Instructions

Proponents should structure their Proposals in accordance with the instructions in this RFP. Where information is requested in this RFP, any response made in a Proposal should reference the applicable section numbers of the RFP where that request is made.

COMMUNICATION AFTER ISSUANCE OF RFP

Proponents to Review RFP

Proponents shall promptly examine all of the documents comprising this RFP and

1. Shall report any errors, omissions or ambiguities; and
2. May direct questions or seek additional information by fax or email, on or before the Proponent's Deadline for Questions to the Town Contact. No such communications are to be directed to anyone other than the Town Contact. The Town is under no obligation to provide additional information but may do so at its sole discretion.

The Town Contact for this RFP is:

Paul Evans, CBCO
Chief Building Official
Town of Erin
(519) 855-4407 ext. 224
paul.evans@erin.ca

The Town and its advisors do not make any representations, warranty or guarantee as to the accuracy of the information contained in the RFP or issued by way of addenda.

It is the Proponent's responsibility to avail itself of all the necessary information to prepare a Proposal in response to this RFP.

All New Information to Proponents by way of Addenda

This RFP may be amended by an addendum in accordance with this section.

If the Town, for any reason, determines that it is necessary to provide additional information relating to this RFP, such information will be communicated to all Proponents by addenda. Each addendum shall form an integral part of this RFP.

Such addenda may contain important information including significant changes to this RFP. It is the sole responsibility of the Proponent to register their intention to submit a proposal with the Town in order to be placed on the distribution list for any addenda. Proponents are responsible for obtaining all addenda issued by the Town. In the space provided in the Form of Offer, Proponents shall confirm their receipt of all addenda by setting out the number of each addenda in the space provided for in the Form of Offer.

Post-Deadline Addenda and Extension of Proposal Submission Deadline

If any addenda are issued after the Deadline for Issuing Addenda, the Town may at its discretion extend the Proposal Submission Deadline for a reasonable amount of time.

SUBMISSION OF PROPOSALS

Proposals Submitted Only in Prescribed Manner

Proposals must be submitted by the following method:

A Proponent must submit:

- a) Three (3) original copies of its Proposal in a sealed envelope or package (the "Proposal Envelope") containing the Proposal or one (1) softcopy through e-mail. This e-mail, envelope or package must be labelled with the Proponent's name and marked as indicated above.

The outside of the sealed Proposal package must be prominently marked with the RFP title, with the full legal name and return address of the Proponent, with the Proposal Submission Deadline date and time.

Proposals must be submitted to the Town Contact.

Proponents assume sole responsibility for late deliveries. Proposals submitted in any other manner will be disqualified.

Proposals Must Be Submitted On Time at Prescribed Location

Proposals must be submitted at the location set out above on or before the Proposal Submission Deadline. Proposals submitted after the Proposal Submission Deadline will be disqualified.

Amending or Withdrawing Proposals Prior to Submission Deadline

At any time prior to the Proposal Submission Deadline, a Proponent may amend or withdraw a submitted Proposal. The right of a Proponent to amend or withdraw a Proposal includes amendments or withdrawals wholly initiated by the Proponent and amendments or withdrawals in response to subsequent information provided by the Town.

Any amendment should clearly indicate what part of the Proposal the amendment is intending to replace.

Any amendment or notice of withdrawal must be submitted in the same manner as prescribed in this RFP for the submission of Proposals. Any amendment or notice of withdrawal submitted by any other method will not be accepted.

Proposal Irrevocable after Proposal Submission Deadline

Proposals shall remain irrevocable in the form submitted by the Proponent for a period of sixty (60) days from the Proposal Submission Deadline.

Town May Seek Clarification and Incorporate Response into Proposal

The Town reserves the right to seek clarification and supplementary information from Proponents after the Proposal Submission Deadline. Any response received by the Town from a Proponent shall, if accepted by the Town, form an integral part of that Proponent's Proposal.

RFP Incorporated into Proposal

All of the provisions of this RFP are deemed to be accepted by each Proponent and incorporated into each Proponent's Proposal.

Proposal Property of the Town

Except where expressly set out to the contrary in this RFP, the Proposal and any accompanying documentation submitted by a Proponent shall become the property of the Town and shall not be returned.

EXECUTION OF AGREEMENT

Selection of Proponent

The Town anticipates that a Proponent will be selected within 30 days of the Proposal Submission Deadline. Notice of selection by the Town to the selected Proponent will be in writing. The selected Proponent shall execute the Agreement and satisfy any other applicable conditions of this RFP within 15 days of notice of selection.

Failure to Enter Agreement

In addition to the Town's other remedies, if a selected Proponent fails to execute the Agreement or satisfy any other applicable condition within 30 days of notice of selection, the Town may, in its sole discretion and without incurring any liability, rescind the selection of that Proponent.

Notification to Other Proponents of Award and Debriefing

Once an Agreement is executed between the successful Proponent and the Town, the other Proponents will be notified by the Town in writing of the award of the Agreement to the successful Proponent.

PROHIBITED COMMUNICATION AND CONFIDENTIAL INFORMATION

Prohibited Proponent Communications

Any attempt on the part of any Proponent or any of its employees, agents, contractors or representatives to contact any person other than the Town Contact with respect to this RFP, will be grounds for disqualification. For clarification and without limiting the generality of the foregoing, no attempt will be made to contact any member of the Town Evaluation Team, Senior Leadership Team, elected officials or any expert or other adviser assisting the Town Evaluation Team.

In such event, and without any liability, the Town may, in its sole discretion and absolute discretion, in addition to any other remedies available by law, disqualify the Proposal submitted by the Proponent.

Proponent Not to Communicate with Media

A Proponent may not at any time directly or indirectly communicate with the media in relation to this RFP or any contract awarded pursuant to this RFP without first obtaining the written permission of the Town.

Confidential Information of the Town

All information provided by or obtained from the Town in any form in connection with this RFP either before or after the issuance of this RFP:

- a) Is the sole property of the Town and must be treated as confidential;
- b) Is not to be used for any purpose other than replying to this RFP and the performance of any subsequent Agreement;
- c) Must not be disclosed without prior written authorization from the Town; and
- d) Shall be returned by the Proponents to the Town immediately upon the request of the Town.

Subject to Municipal Freedom of Information and Protection of Privacy Act

Information provided by a Proponent may be released in accordance with the Municipal Freedom of Information and Privacy Act R.S.O. 1990, c.M 56, as amended. A Proponent shall identify any information in its Proposal or any accompanying documentation for which confidentiality is to be maintained by the Town.

The confidentiality of such information will be maintained by the Town, except where an order by the Information and Privacy Commission or a court requires the Town to do otherwise.

Rights of the Town

In addition to any other expressed rights or any other rights which may be implied in the circumstances, the Town reserves the rights to:

- a) Make public the names of any or all Proponents;
- b) Request written clarification or the submission of supplementary written information from any Proponent;
- c) Waive formalities and accept Proposals which substantially comply with the requirements of the RFP;
- d) Verify with any Proponent or with a third party any information set out in a Proposal;
- e) Check references other than those provided by any Proponent;
- f) Disqualify any Proponent whose Proposal contains misrepresentations or any other inaccurate or misleading information;
- g) Disqualify any Proponent or the Proposal of any Proponent who has engaged in conduct prohibited by this RFP;
- h) Make changes, including substantial changes, to this RFP provided that those changes are issued by way of addenda in the manner set out in this RFP; i) Accept or reject a Proposal if only one Proposal is submitted;
- j) Select any Proponent other than the Proponent whose Proposal reflects the lowest cost to the Town;
- k) Cancel this RFP process at any stage;
- l) Cancel this RFP process at any stage and issue a new RFP for the same or similar services;
- m) Accept any Proposal in whole or in part, provided that doing so complies with the Town Procurement Policy and other applicable laws;
- n) Discuss with any Proponent different or additional terms to those contemplated in this RFP or in any Proponent's Proposal;
- o) Reject any or all Proposals in its absolute discretion;

And, the Town shall not be liable for any expenses, costs, losses or any direct or indirect damages incurred or suffered by any Proponent or any third party resulting from the Town exercising any of its express rights under this RFP or exercising any rights which may be implied in the circumstances.

By submitting a Proposal, the Proponent authorizes the collection by the Town of the information set out under (d) and (e) in the manner contemplated in those subparagraphs.

Governing Law of RFP Process

This RFP process shall be governed by and construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable therein.

Signing Page (Appendix A)

All responses should be signed:

Request for Proposal RFP 2018-01B Barrier Free Alterations and Elevator

I/We certify that the information provided in this RFP Response Document is true and complete.

I/We declare that no employee of the Erin is or will become interested directly or indirectly as a contracting party or otherwise in the supplies, work or business to which it relates or in any portion of the profits thereof, or in any such supplies to be therein or in any of the monies derived there from.

I/We further declare that the undersigned is empowered by the Proponent to negotiate all matters with the partnering municipality's representatives, relative to this Proposal.

I/We further declare that the agent listed below is hereby authorized by the Proponent to submit this Proposal and is authorized to negotiate on behalf of the Proponent.

Legal Company Name:	
Respondent's Printed Name:	
Respondent's Signature:	
Respondent's Title:	
Email:	
Business Phone:	
Mobile Phone:	
Business Fax:	