

10 December 2019

MKM Project Number: 180018

***MKM Projects Ltd.***

***Contact: Jordan Almond***

***PO Box 601***

***Qualicum Beach, B.C, V9K1T2***

***Phone: 250.618.7203***

***Email: [jordan@mkmprojects.ca](mailto:jordan@mkmprojects.ca)***

RE: Cumberland Firehall – Tender Addendum 2

Please find enclosed Tender Addendum 2.

- Specification Section 002113 Instructions to bidders.
- Specification Section 004113 Bid Form – Stipulated price
- Village of Cumberland Community Benefit Clause

Any question or concerns please do not hesitate to contact MKM Projects.

Jordan Almond

MKM Projects Ltd.

[jordan@mkmprojects.ca](mailto:jordan@mkmprojects.ca)

250-618-7203

## Section 00 21 13 - Instruction to Bidders

### 1.1 BID CALL

- .1 Work of the Project comprises the following: Construction of a new fire hall for Cumberland, BC.
- .2 Bidding is comprised of a Two-Stage process.
- .3 Stage one: submittal of Community Benefits Proposal.
  - .1 Village of Cumberland Community Benefits Proposal will be received before 2:00 p.m. local time on January 16, 2020 (the "bid closing time") at:
    - MKM Projects Ltd.
    - Jordan Almond
    - 3-124 Harlech Rd.
    - Qualicum Beach, BC
    - V9K 1T2or;
    - electronically by email in pdf format to: [jordan@mkmprojects.ca](mailto:jordan@mkmprojects.ca)
- .4 Stage two: submittal of Bid Form:
  - .1 Bid Form will be received before 2:00 p.m. local time on January 23, 2020 (the "bid closing time") at:
    - MKM Projects Ltd.
    - Jordan Almond
    - 3-124 Harlech Rd.
    - Qualicum Beach, BC
    - V9K 1T2or;
    - electronically by email in pdf format to: [jordan@mkmprojects.ca](mailto:jordan@mkmprojects.ca)
- .5 The official bid closing time will be determined by time on a cell phone or on computer at the bid closing location.
- .6 Bids received after the specified bid closing time will be returned unopened.
- .7 The Owner reserves the right to extend the bid closing time or cancel the bid call by addendum.
- .8 Bids will not be opened publicly with Bidders present.
- .9 Bid results will be disclosed promptly to all Bidders. Such disclosure will not imply that the bids received are compliant or that a contract will be awarded to the lowest or any Bidder.
- .10 Bidders are solely responsible for their own expenses in preparing a Bid and for subsequent negotiations if any. The Village of Cumberland or MKM Projects Ltd. will

not be liable for any claims, whether for costs or damages incurred by the Bidder in preparing the proposal, loss of anticipated profit in connection with any final contract, or any other matter whatsoever. Further to the preceding, the Bidder, by submitting a Bid agrees that it will not claim damages, for whatever reason, relating to the contract, sub-contract or in respect of the competitive process, in excess of an amount equivalent to the reasonable costs incurred by the Bidder in preparing its Bid and the Bidder, by submitting a Bid, waives any claim for loss of profits if no agreement is made with the Bidder.

## **1.2 BID REGISTRATION**

- .1 Bidders are required to register with MKM Projects Ltd their intent to bid.
  - .1 Registrar: Jordan Almond jordan@mkmprojects.ca
  - .2 Registered bidders will receive addenda notifications, Scopes of Work and Bid Forms.

## **1.3 BID DOCUMENT AVAILABILITY**

- .1 Bid Documents are made available in electronic form only for the purpose of obtaining bids for this project. It does not confer a license to use the Bid Documents for any other purpose.
- .2 Electronic copy Bid Documents may be accessed at BC Bid and Village of Cumberland website.

## **1.4 EXAMINATION OF BID DOCUMENTS**

- .1 Examine the Bid Documents and promptly notify the person designated to receive inquiries of any perceived errors, omissions, conflicts or discrepancies in the Bid Documents.

## **1.5 SITE EXAMINATION**

- .1 Bidders shall visit the site and familiarize themselves with conditions affecting the Work before submitting a bid.
- .2 Site location is open to view at any time.

## **1.6 AVAILABLE PROJECT INFORMATION**

- .1 A feasibility study performed by Wedler Engineering encompassing Site Servicing, Geotechnical Investigation, Environmental Investigation, Arboriculture Investigation and Topographic Survey, dated January 2016, is available for information; from MKM Projects Ltd. upon request.

## **1.7 TAXES**

- .1 Include in bid price all taxes and customs duties in effect at the time of the bid closing, except for Value Added Taxes as defined in the CCDC standard form of contract.

## **1.8 SUBSTITUTIONS**

- .1 Where the Bid Documents specify particular Products by proprietary name, Consultant will consider Bidder requests for approval of substitutions during bid period, provided such requests are received, in writing, at least 7 days before the bid closing time and are in accordance with the requirements specified in Section 01 25 00 – Substitution Procedures. If Consultant approves a substitution, the substitute Product will be named in an addendum. Otherwise Bidders shall consider the request for approval of the substitution to be rejected.

## **1.9 COMMUNITY BENEFIT PROPOSAL**

- .1 Refer to attached Village of Cumberland Social Procurement Framework policy as it pertains to this bid call.

## **1.10 BID FORM SIGNING**

- .1 Complete Bid Form, in its entirety, on form provided, either in hardcopy or electronic pdf format.
- .2 Complete the Bid Form as follows:
  - .1 Incorporated Company: Provide company name and name and signature of the duly authorized signing representative(s). Insert under each signature the representative's capacity to act on behalf of the company.
  - .2 Joint Venture: Each entity within the joint venture shall execute the Bid Form as specified.
  - .3 Partnership: Provide name of partnership and name and signature of duly authorized representatives of the partnership.
  - .4 Sole Proprietorship: Provide name of sole proprietorship and name and signature of sole proprietor in the presence of a witness who shall also sign.

## **1.11 BID SUBMISSION**

- .1 Provide Community Benefit proposal in sealed opaque envelope or in electronic pdf format emailed, and prior to time and date specified herein.
- .2 Complete Bid Form, in its entirety, on form provided in a sealed opaque envelope or in electronic pdf format emailed, and prior to time and date specified, completed in their entirety, clearly identified with the following information:
  - .1 Name and address of Procurement Authority.
  - .2 Bidder's name and address.
  - .3 Project name.

## **1.12 BID MODIFICATION AND WITHDRAWAL**

- .1 A bid, including the Bid Form, submitted in accordance with these bidding requirements may be modified or withdrawn, provided the modification or withdrawal request:
  - .1 is in the form of a letter received at the address specified in "Bid Call" article before the bid closing time, or emailed in pdf format, and

- .2 states the project title, name of the Bidder, the nature of the modification or withdrawal request,
- .3 and is signed by a duly authorized person.
- .2 If a bid is withdrawn, a new bid may be submitted in accordance with the specified requirements, provided it is received before the bid closing time.
- .3 When submitting a modification directing a change in a bid price, do not reveal the original amount nor the revised amount:
  - .1 On stipulated price bids, state only the amount to be added to or deducted from the original bid price.
  - .2 On unit price bids, state only the amount to be added to or deducted from each original unit price or lump sum in the Schedule of Prices. The Owner will adjust extended amounts and the total bid price as required by the modification.
- .4 When submitting a second or more modifications related to a particular bid price, ensure that there is no ambiguity as to the intended bid price. The written modification shall clearly indicate whether:
  - .1 the bid price first submitted is being modified and any previous modifications are to be disregarded, or
  - .2 a revised bid price derived from a previous modification is being modified.
- .5 State all addendum numbers received, if different from what was indicated on originally submitted Bid Form.
- .6 Owner will assume no responsibility or liability for modifications or withdrawals that are, for any reason, delayed, illegible, unclear as to intent, ambiguous, contrary to these instructions, or otherwise improperly received. The Owner may disregard improperly received modifications or withdrawals.

### **1.13 BIDDING IRREGULARITIES**

- .1 Bids with Bid Forms that are improperly prepared, signed or submitted contrary to these Instructions to Bidders, or that contain added conditions or other irregularities of any kind, may, at the Owner's discretion, be rejected as non-compliant.
- .2 The Owner may accept or waive a minor and inconsequential irregularity. The determination of what is, or is not, a minor and inconsequential irregularity, the determination of whether or not to accept or waive such an irregularity, and the final determination of whether the bid is compliant, will be at the Owner's sole discretion.
- .3 The following irregularities relate to what are considered mandatory bidding requirements. These will not be considered minor and inconsequential and will cause the bid to be rejected as non-compliant:
  - .1 Bid is received after the specified bid closing time.
  - .2 Either the Required Community Benefits Proposal or Bid Form are missing.
  - .3 Community Benefits Proposal and Bid Form is not in the form provided or required.
  - .4 A bid price is illegible, ambiguous or unclear.
  - .5 One or more conditions are added to or submitted with the bid, the effect of which is a material modification of the Bid Documents.

- .6 Failure to indicate in the Bid Form the addendum number(s) of all addenda received.
- .7 Failure to comply with any other bidding requirement expressly characterized as mandatory in elsewhere in the Bid Documents.

#### **1.14 BID ACCEPTANCE PERIOD**

- .1 Bids shall remain open to acceptance by the Owner and shall be irrevocable until another Bidder enters into a contract with the Owner for performance of the Work or until expiry of the bid acceptance period list on the Bid Form, whichever occurs first.
- .2 After bid closing and before expiry of the bid acceptance period stated in the Bid Form, the Owner may request all Bidders to agree to an extension of the originally specified bid acceptance period. In such case the bid acceptance period will be extended subject to the Bidder, whose bid the Owner wishes to accept, having agreed in writing to the extension.

#### **1.15 BID ACCEPTANCE**

- .1 Lowest or any bid will not necessarily be accepted and the Owner may reject any and all bids.
- .2 Contract will be established if and when the successful Bidder receives from the Owner a written notification accepting the bid without any conditions. If the Owner's written notification accepting the bid contains, or is subject to, any conditions, the Contract will be established if and when the Bidder accepts all such conditions in writing or when the parties execute the agreement.
- .3 If the lowest compliant bid exceeds the Owner's budget, and the Owner is unwilling or unable to award a contract at the bid price, the Owner may:
  - .1 negotiate, with the lowest compliant Bidder only, changes to the Bid Documents and a reduced bid price acceptable to the Owner, or
  - .2 invite the three lowest compliant Bidders (only) to re-bid on modified Bid Documents under a new bid call.

#### **1.16 INTERPRETATION AND MODIFICATION OF BID DOCUMENTS**

- .1 If an inquiry requires an interpretation or modification of the Bid Documents, the response to that inquiry will be issued in the form of a written Addendum only, to ensure that all Bidders base their bids on the same information.
- .2 Replies to inquiries or interpretations or modifications of the Bid Documents made by e-mail, verbally, or in any manner other than a written Addendum, will not form part of the Bid Documents and will not be binding.

#### **1.17 ADDENDA**

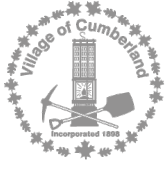
- .1 Addenda may be issued to modify the Bid Documents in response to Bidder inquiries or as may be considered necessary.
- .2 All addenda issued during the bid period will become part of the Bid Documents.

- .3 No addenda will be issued later than 4 Working Days before the bid closing time.
- .4 Each Bidder shall ascertain before bid submission that it has received all addenda issued during the bid period and shall indicate in the Bid Form the addendum number(s) of all addenda received.

**1.18 INQUIRIES**

- .1 Direct all inquiries in writing, via e-mail to:  
Jordan Almond  
MKM Projects Ltd.  
Email: [jordan@mkmpromjects.ca](mailto:jordan@mkmpromjects.ca)
- .2 Submit inquiries as early as possible in the bid period and not less than 7 Working Days before the bid closing time. Inquiries received after this time may not receive a response.

**End of Section**



***First part of the instructions:***

Tenders must be submitted in two separate sealed envelopes or pdf's, marked

**Community Benefits Proposal**

**Village of Cumberland Fire Hall (identify the trade or construction component being bid on – for example “electrical” or “plumbing” etc.)**

And

**Bid Package**

**Village of Cumberland Fire Hall (identify the trade or construction component being bid on – for example “electrical” or “plumbing” etc.)**

***Second part of the instructions:***

**Community Benefit Clause**

The Council of the Village of Cumberland has adopted a Social Procurement Framework, committing the Village to ethical purchasing with social values and environmental sustainability at its core. To this end, the Village’s procurement is guided by the Social Procurement Framework.

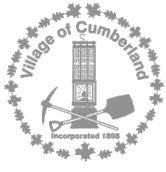
Bidders must comply with all employment and human rights laws relating to the tendered project and must meet all legal requirements related to workplace or workers’ safety laws and regulations.

In addition, to be considered eligible to bid, the Bidder must satisfy **at least two (2)** of the following goals or initiatives which are included in the Village’s Social Procurement Framework. For additional information, visit the Social Procurement page on the Village website: <https://cumberland.ca/social-procurement/>.

Please outline how you currently satisfy, or how you plan to satisfy (if you are the successful proponent), **at least two (2)** of the following goals or initiatives before the completion of the project:

1. Assist the Village in achieving any of the following key social, employment and economic goals as outlined in the attached Social Procurement Framework:
  - contribute to a stronger local economy;
  - increase the number of local jobs that support young working families;
  - increase social inclusion, by improving contract access for equity-seeking groups, such as social enterprises;
  - enhance community arts and culture infrastructure;
  - improve and enhance public spaces;





- help move people out of poverty, providing increased independence and sustainable employment for those in need;
  - improve opportunities for meaningful independence and community inclusion for citizens living with disabilities; and
  - stimulate an entrepreneurial culture of social innovation.
2. Pay at least the *living wage* as the regular wages paid to all of your employees (British Columbia living wage is found at <http://www.livingwagecanada.ca/index.php/living-wage-communities/british-columbia>).
  3. Employ residents of the Village of Cumberland on this project.
  4. Employ apprentices/trainees (preferably Cumberland residents) on this project.
  5. Support the Village with any of the initiatives contained within the Current Council Strategic Priorities found at <https://cumberland.ca/annual-report/>, if you are awarded the contract for this project.

**Note that:**

*“The Village’s evaluation of a bidder’s outline of how it will achieve the goals and initiative in the Village’s Social Procurement Frameworks will be at the sole discretion of the Village. In no event will a bidder have any claim against the Village in relation to the Village’s evaluation of any proponent’s community benefit submission or any resulting decision by the Village regarding whether any bidder’s proposal may be retained for consideration and by submitting a bid each bidder agrees that it has no such claim.”*

Tenderers are to submit a Community Benefit Proposal to outline how they currently satisfy, or how you plan to satisfy **at least two (2)** of the goals or initiatives before the completion of the project if they are the successful proponent.

This proposal is to be submitted in on January 16, 2020 by 2pm PST.

**Modified Tender Opening Procedure:**

1. *Community Benefits Proposal* will be opened January 16, 2020. This proposal will then be assessed by the Village of Cumberland prior to Bid Form submittal.
2. Community Benefits proposals deemed non-compliant will be rejected.
3. *Bid Package* will be opened for bids deemed to be in compliance with Community Benefits Proposals on January 23, 2020. The information contained in this package will be evaluated independently of the Community Benefits Proposal submitted.

**Section 00 41 13 - Bid Form - Stipulated Price**

**Project/Contract: Cumberland Fire Hall**

**From (Bidder):**

Business name: \_\_\_\_\_

Street address or postal box number: \_\_\_\_\_

City/Town, province and postal code: \_\_\_\_\_

**To (Owner):**

Village of Cumberland

We, the undersigned, having examined the Bid Documents for the above named project/contract, including Addendum Number(s) \_\_\_\_\_, and having visited the Place of the Work, hereby offer to perform the Work in accordance with the Bid Documents, for the stipulated price of:

\$\_\_\_\_\_ in Canadian dollars, excluding Value Added Taxes.

We, the undersigned, declare that:

- .1 we are qualified to perform the Work in accordance with the Bid Documents and our bid price covers all of our obligations and things necessary for the performance of the Work,
- .2 we have arrived at this bid without collusion with any competitor,
- .3 this bid is open to acceptance by the Owner for a period of 90 calendar days from the bid closing time.

**Signatures:**

Signed and submitted by:

Name and title of authorized signing representative: \_\_\_\_\_

Signature of authorized signing representative: \_\_\_\_\_

Name of witness, if business is sole proprietorship: \_\_\_\_\_

Signature of witness, if business is sole proprietorship: \_\_\_\_\_

Signature of authorized signing representative: \_\_\_\_\_

SCOPE	BID PRICE
EXCAVATION & CIVIL WORKS	
ASPHALT PAVING	
CONCRETE CURBS, GUTTERS, SIDEWALKS	
CHAINLINK FENCE	
LANDSCAPING	
CONCRETE REINFORCEMENT	
CONCRETE & FORMWORK	
STEELWORK & METAL FABRICATIONS	
HEAVY TIMBER SUPPLY	
ROUGH CARPENTRY	
FINISHED CARPENTRY	
ARCHITECTURAL WOODWORK	
WATERPROOFING	
SPRAY & FOAM INSULATION	
CEMENTITIOUS CLADDING, METAL SIDING & INSULATED PANELS	
SBS ROOF MEMBRANES	
FIRESTOPPING & SEALANTS	
DOORS, FRAMES & HARDWARE	
OVERHEAD SECTIONAL & COILING DOORS	
ALUMINUM WINDOWS & ENTRANCES	
DRYWALL, INSULATION & CEILINGS	
TILING	
FLOOR FINISHES	
PAINTING	
SPECIALTIES	
SIGNAGE	
WINDOW TREATMENTS	
<u>MECHANICAL SERVICES</u>	
PLUMBING	
HVAC	
FIRE PROTECTION	
<u>ELECTRICAL SERVICES</u>	

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.