



TENDER FOR LIQUID DUST SUPPRESSANT PW2019-01

Sealed and signed tenders clearly marked as to contents addressed to:

Liquid Dust Suppressant Tender PW2019-01
Nicole Martin
Admin. Assistant Roads, Building and Planning
Township of Chatsworth
316837 Highway 6
Chatsworth, Ontario
N0H 1G0

Will be received until, 12:00 pm, March 22, 2019. Lowest tender not necessarily accepted.

Tenders will be opened publicly at the Township of Chatsworth, Municipal Office, 12:05 pm, March 22, 2019.

If you have any questions, please contact Jamie Morgan, Operations Manager, at 519-794-3232 Ext.126 or jmorgan@chatsworth.ca

If you are interested in submitting a proposal, please advise Jamie Morgan and provide your contact email for additional information updates, if required.

INFORMATION TO BIDDERS AND TENDER REQUIREMENTS

GENERAL

Sealed tenders will be received until March 22, 2019 at 12:00 noon in a sealed envelope clearly marked with the following:

Liquid Dust Suppressant Tender PW2019-01
Nicole Martin
Admin. Assistant Roads, Building and Planning
Township of Chatsworth
316837 Highway 6
Chatsworth, Ontario N0H 1G0

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 Township of Chatsworth. No changes may be made to bids after they have been received. If more than one 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 (ie. fax or email) will not be considered.

The Contractor has carefully examined any and all provisions, plans, specifications and conditions attached to this tender and has carefully examined the site and location of the work to be done under this contract, and the Contractor understands and accepts the said provisions, plans, specifications and conditions and, for the prices set forth in this tender, hereby offers to furnish all machinery, tools, apparatus and other means of construction, furnish all materials except as otherwise specified in the contract, and to complete the work in strict accordance with the provisions, plans, specifications and conditions attached to this tender.

Tender Requirements

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

- Tender Form
- Tender Deposit
- Company Overview and Professional Qualifications
- Work Plan and Schedule
- Statement by Bidder
- Addendum(s) (if any)
- Other – Laboratory Test Results of Product to be supplied.

Bidders are required to prepare their bid in accordance with this tender document, as well as the Township of Chatsworth's Purchasing and Procurement policy. The successful bidder will be required to enter into a contract with the Terms and Conditions set out in the tender.

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

A bid may be withdrawn at any time prior to closing.

The Township of Chatsworth 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.

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 correctly accordingly.

Tender Deposit

One certified cheque in the amount of 10% of the tendered amount payable to the Treasurer, Township of Chatsworth, must be submitted with the tender. The proceeds of this cheque shall, upon acceptance of the tender, constitute a deposit which shall be forfeited to the municipality if the Contractor fails to file with the municipality an executed form of agreement for the performance of the work prepared by the municipality in accordance with this tender and the provisions, plans, specifications and conditions attached hereto within ten (10) days from the date of Acceptance of the Tender.

The cheque of the unsuccessful bidders will be returned within 7 days of tender acceptance. The cheque of the successful bidder will be retained until municipality's acceptance of the work.

Tenders not accompanied by a certified cheque will not be considered.

If the successful bidder wishes he may file with the municipality a completed performance bond, signed and sealed by a recognized bonding company, in the amount of 100% of the total estimated tender.

Upon receipt of such a bond and execution of the contract the tender deposit will be returned to the contractor.

Basis of Rejection of Tender

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

- (a) Bids received after closing date
- (b) Bids received on other than the tender forms supplied
- (c) Bids not completed in ink or by typewriter
- (d) Incomplete bids (all items not bid)
- (e) Qualified or conditional bids
- (f) Bids not properly signed and sealed

Insurance

The Contractor shall take out and keep in force until the date of acceptance of the entire work by the municipality, a comprehensive policy of public liability and property damage to the limit of at least \$5,000,000.00 (five million dollars) exclusive of interest and costs, against loss of damage resulting from bodily injury to, or death of, one or more persons and loss of or damage to property.

Such policy shall contain:

- A cross liability clause or endorsement
- An endorsement certifying that the Township of Chatsworth and the successful bidder are included as additional named insureds protecting the municipality against all claims for all damage or injury including death to any person or persons and for damage to any property of the municipality or any other public or private property resulting from or arising out of any act or omission on the part of the Contractor or any of his servants or agents during the execution of the contract and the Contractor
- An endorsement to the effect that the policy or policies will not be altered, cancelled or allowed to lapse without thirty days prior written notice to the Township of Chatsworth.
- Such policy shall name the municipality as an additional insured thereunder and shall forward a certified copy of the policy or certificate thereof to the municipality before the work is started.

Regulations

The Contractor shall abide by all Acts, By-laws and Regulations relative to the performance of the work.

Operations Manager

Means the designated Operations Manager or such other person, partnership or corporation as may be authorized by the Council to act on their behalf in any particular capacity.

Equipment

The successful bidder shall furnish and maintain 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 shall be maintained in a satisfactory, safe and 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 compliance with federal, provincial or municipal laws as they pertain to the vehicles to be used. Furthermore, the successful bidder will furnish to the

Township any and all vehicle safety certificates on the vehicles to be used under this contract, if requested.

Where a vehicle is hauling material for use in this contract, in whole or in part upon a public highway and where motor vehicle registration is required for such vehicle, the contractor 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 contractor or otherwise.

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

The Township 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.

Damage By Vehicles and Other Equipment

If at any time, in the opinion of the Operations Manager, damage is being done or is likely to be done to any highway or any improvement thereon, other than such portions as form part of the work, by the Contractor's vehicles or other equipment whether licensed or unlicensed, the Contractor shall, on the direction of the Operations Manager and at the Contractor's own expense make changes in or substitutions for such vehicles or other equipment or shall alter loadings or shall in some other manner remove the cause of such damage to the satisfaction of the Operations Manager.

Loading of a Motor Vehicle

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

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 without the written consent of the Township of Chatsworth.

Employees

The successful bidder agrees that the Township of Chatsworth is not to be deemed or construed as the employer of the successful bidder nor its personnel under any circumstances whatsoever.

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 Provincial and Federal regulations. Normal safety precautions shall be observed while around and operating equipment.

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

The Township of Chatsworth 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 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 township of Chatsworth with satisfactory evidence that as the successful bidder, the provisions of any act have been complied with.

Workplace Safety Insurance Board Coverage

The Township of Chatsworth will require a current WSIB Clearance Certificate with this quotation.

Accessibility for Ontarians with Disabilities Requirements:

Prior to the commencement of any work under this contract, the successful bidder will also be required to provide Accessible Customer Service Training to all staff working on behalf of the Township of Chatsworth in compliance with the requirements of the Accessibility for Customer Service Regulation 429/07, Section 6. The Township of Chatsworth will offer assistance with appropriate training resources if required.

Health and Safety:

The Municipality will expect the successful bidder to abide by all provincial regulations regarding health and safety, as well as licensing and certification. The Township of Chatsworth has a Contractor Health and Safety Package that will need to be completed by the successful bidder, prior to the start of work, which

includes the submission of the contractors Health and Safety Policy or the agreement to abide by the Township of Chatsworth policies.

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 Township or against whom the Township has a claim or instituted a legal proceeding with respect to any previous contract without prior written approval of Council.

When submitting the quotation, the following documents must be submitted:

- Certificate of Insurance
- Current WSIB clearance certificate
- Tender Deposit Cheque

If you are the successful bidder, the following documents must be submitted prior to the commencement of work:

- Accessibility for Ontarians with Disabilities Requirements
- Health and Safety Contractor Package: The successful bidder must abide by all provincial regulations regarding health and safety as well as licensing and certification. The Contractor Health and Safety Package will need to be completed prior to the start of work.

SCOPE AND SPECIFICATIONS OF TENDER

SCOPE

For the supply, delivery and application of Liquid Dust Control

- +/- 330 flake equivalent of tonnes of Liquid Calcium Chloride Solution Flake or Equivalent is required
- Approximately 80% to be applied continuously on Township roads and approximately 20% to be spotted on Township roads is required (straight truck required for dead ends)
- The Contractor shall ensure the workers in their employ are aware of the hazardous substances that may be in use at the workplace and wear the appropriate personal protective equipment require for the area
- The Contractor shall be responsible for any and all damages or claims for damage, injuries or accidents done or caused by him or his employees, or resulting from the prosecution of the works or any of his operations, caused by reason of the existence or location or condition of works or of any materials, plant or machinery used thereon or arising from any failure, neglect or omission on his part, or on any part of any of his employees, to do or perform any or all of the several acts or things required to be done by him or them under and by these conditions, and covenants and agrees to hold the Corporation of the Township of Chatsworth harmless and indemnified for all such damages and claims for damage
- The Contractor shall be responsible for any spills during delivery and a contingency plan shall be forwarded to the Township of Chatsworth

It is agreed that the tender quantities are estimated only and may be increased or decreased by the municipality without alteration of the contract price, however, such increase or decrease shall not exceed 20%.

This tender is subject to approval of the 2019 Budget and by the Council of the Township of Chatsworth – Product amounts may change according to final budget.

Hours of Work

Work will be permitted on Township of Chatsworth roads between 7:00 am to 7:00 pm, Monday to Friday. No work is to be performed outside of these hours, unless otherwise expressly authorized in writing by the Township.

Traffic Control

Traffic control and potable signage may be provided by the Township's own forces, but the successful bidder is ultimately responsible for ensuring each load is applied in a manner that protects the work zone and ensures the safe passage of traffic.

Testing of Materials

Before commencing operations, the successful bidder is responsible for having their product tested to meet OPSS requirements. Bidders are requested to provide a

manufacturer's certificate from a laboratory stating that the product is in conformance with OPS specifications. Following contract award, the successful bidder shall allow the Township access to the material being delivered to obtain samples from each load that the Township shall test to ensure the material continues to meet requirements and specifications.

Should the materials from the samples fail to meet the requirements of the specifications, the Township reserves the right to reject the load at no penalty to the Township.

Labour and Materials

It is hereby understood and agreed that the successful bidder will provide all necessary equipment and materials to be used for the performed work and that such equipment shall be suitable for these works. The equipment furnished is to be specifically designated for the use intended.

The successful bidder shall supply the appropriate M.S.D.S. (Material Safety Data Sheet) to the Township prior to work commencement.

Tender Quantity and Pricing

1 Flake Metric Tonne (35% Calcium Chloride) = 1632 litres

1 Flake Metric Tonne (20% Calcium Magnesium Chloride) = 3264 litres

Approximately 330 **Flake Metric Tonnes** shall be supplied and applied on municipal roads. This tender may be awarded based on 330 Flake Metric Tonnes of 35% Calcium Chloride or split and awarded to different suppliers in two parts according to the following breakdown. The Township requires a minimum of 180 Flake Metric Tonnes of 35% calcium chloride and will accept an alternative quote for the balance of 150 Flake Metric Tonnes. The quantity indicated is an estimate based on expectations under normal conditions. The amounts may be adjusted to accommodate weather conditions or any other uncontrollable items. The Contractor agrees to honour the unit prices as quoted in this tender provided there is no significant variance from the tendered quantities, taking into account seasonal variances due to weather and other non-controllable factors.

Contractor must be able to supply up to 50 F.E. tonnes per day. All delivery costs should be included in the unit price. The Township takes ownership of the product upon delivery at the designated Township site.

BIDDER'S STATEMENT AND PRICING

Form of Tender Pricing – To Be Submitted

	Estimated Litres	Product	Per Litre Price	Total Product Cost
A)	<u>180</u>	Liq. 35% CaCl ₂	<u> </u>	<u> </u>
B)	<u>150</u>	Other Liq. Calcium/ Mag Solutions	<u> </u>	<u> </u>

Note:

- Quantity "B" = 150 F.E. tonnes x 1632 litres x 2
- HST EXTRA

Signature of Signing Authority

Date

