

THE MUNICIPALITY OF THE TOWNSHIP OF DORION

**2021– 2023 MUNICIPAL ROAD TENDER
FOR RENTAL OF TRUCKS AND HEAVY EQUIPMENT**

Tenders shall be addressed and deliver to: Township of Dorion Municipal Office
170 Loop Road,
Dorion, Ontario
P0T 1K0

Inquiries Contact : Don Fredrickson
Public Works Supervisor
(807) 857- 2295 or (807) 857-2289
publicworks1@bellnet.ca

Closing Date & time: April 19, 2021 – 4:00 p.m.

Opening Location: Dorion Municipal Office

In response to COVID-19, the Township has put in place measures to keep residents and employees safe and to prevent the spread of the virus. The Municipal Office is currently closed to the public. Hard copy submissions shall be deposited in the drop box located outside the Municipal Office located at 170 Dorion Loop Road, Dorion, ON prior to the date and time specified above. **Tender openings are temporarily closed to the public.**

This Tender Document consists of 16 pages

**THE LOWEST OR ANY TENDER NOT NECESSARILY ACCEPTED
LATE TENDERS WILL NOT BE ACCEPTED**

GENERAL TERMS AND CONDITIONS FOR TENDERS

The “General Terms and Conditions for Tenders” form part of this tender. All tender documents called for by the Township of Dorion will bind bidders to the terms and conditions herein.

Carefully read all pages of this tender.

SUBMISSIONS OF TENDERS

1. Submissions shall be submitted on and in accordance with forms supplied by the Township Municipal Office. Facsimile, Telephone and Electronic submissions will NOT be accepted unless otherwise specified.
2. Submission are to be sealed in an envelope marked “Trucks and Heavy Equipment” and should be properly addressed to: Township of Dorion, Municipal Office, 170 Dorion Loop Road, Dorion, Ontario P0T 1K0
3. **Submissions received by the Municipal office later than the closing date and time will NOT be considered. They will be returned unopened to the bidder.**
4. No information provided orally by the Township shall be binding nor shall it alter the tender requirements.
5. To be considered valid, the Tender must be complete, legible and signed in ink by an authorized company official. All details must be typed or written in ink and must be submitted on the forms provided. If a lengthy description is necessary, attach separate sheets(s), which will be considered part of the tender. Any attachments must be listed on the main tender document. Any erasures, overwriting or strike overs must be initialed by the person signing for the bidder.
6. By submission of a clear and detailed written notice, the bidder may amend or withdraw their submission prior to the closing date and time. At closing time all submissions become irrevocable.
7. Unless stated “**No Substitute**”, the use of brand names, makes, etc does not restrict bidders to a particular manufacturer. The use of brand names may be used to indicate quality desired. However, in submitting a bid on alternate goods or services, the bidder must furnish complete data on the alternative.

8. Prices indicated shall be net prices, including packing, packaging, delivery, unloading and installation charges, where applicable, unless otherwise stated in the Tender and shall remain unchanged during the period stipulated in the Tender. Terms of payment (ie: cash discount) shall be taken into consideration as part of the award. All unit prices must be clearly indicated and must be extended and totalled. In the event of a discrepancy between the unit price and the total sum, the unit price will be used to evaluate the bid.
9. Taxes: HST, where applicable must be shown separately.
10. Tenders which are received by the stated closing date and time will be opened and when Administration is satisfied that the bid envelope contains all the required information, the bidder's name and the total tender amount of the bid shall be **read publicly**. Bidders name and bid amount shall **ONLY** be recorded in the Tender Log when the Bid has been reviewed for compliance to the Tender requirements. There shall be no public announcement regarding a successful bid at the opening. Bidders may be present at such openings.
11. If tender revisions, deletions, substitutions or additions are necessary before closing date, Administration will coordinate the issuance of changes to prospective bidders. Bidders who have submitted a tender prior to the addendum, shall be given the opportunity to withdraw and resubmit their tenders.
12. Alterations, erasures or modifications by any means to the original document will result in the bid being disqualified.
13. A bidder desiring to make changes must withdraw the submission and/or supersede it with a later bid. The last bid received will invalidate all other bids from the bidder.
14. **ALL** tender documents must be signed or initialed in the spaces provided by the authorized official of the Bidder.
15. Failure to comply with the terms and conditions of any tender documents will result in disqualification of the tender from consideration at the time of tender opening and may result in termination of any performance contract entered into subsequent to the opening of the tender bids.

16. An award of tender will be in favor of a bidder meeting the specifications, terms and conditions of the Tender. In addition to price, consideration will be given to;
 - knowledge of municipal operations, systems and services
 - ability/experience to perform in accordance with the tender
 - general reputation of performance from previous employers
17. Tenders shall be awarded by a by-law of Council. An award of contract may take the form of an agreement or a purchase order.
18. All unsuccessful bidders shall be notified as to the name of the successful bidder.
19. All formal agreements (performance contracts) shall be reviewed by legal counsel prior to signing.
20. All contractors, subcontractors and suppliers to the Township shall comply with all legislation and regulations which may be applicable to the Tender.

**THE LOWEST OR ANY TENDER NOT NECESSARILY ACCEPTED.
LATE TENDERS WILL NOT BE ACCEPTED.**

TENDER INFORMATION FORM

I/We, the undersigned, do hereby offer to enter into a contract for **TWO YEAR** to rent to the Corporation of the Township of Dorion, the trucks and road construction equipment as listed herein at the prices indicated in accordance with all the specifications, terms, and conditions declared herein by the Township.

THE RENTAL RATE

- (a) Shall include the wages of the driver or operator, fuel, repairs, insurance and all other costs. Time shall commence when the equipment starts work at the work site, and shall terminate when work ceases.
- (b) Shall NOT include Harmonized Sales Tax (HST), but it is understood that HST will apply to all items of equipment rental.
- (c). Shall NOT include Harmonized Sales Tax, but it is understood that HST will be applicable to the Rental of Equipment that is supplied Without an operator.

NOTE: All taxes must be shown separately on invoicing ie: Harmonized Sales Tax(HST).

- (d) Rental Rate shall be submitted on the **EQUIPMENT LIST** incorporated in this tender. (page 11& 12)

NOTE: WHERE RENTAL RATES EXCEED THE M.T.C. FORM 127 SCHEDULE OF RENTAL RATES (LATEST SCHEDULE) FOR CONSTRUCTION EQUIPMENT, OR SUPPLIERS FAIL TO SUPPLY EQUIPMENT WHEN REQUIRED, THE CORPORATION RESERVES THE RIGHT TO RENT EQUIPMENT OUTSIDE THIS TENDER.

- (e) Shall remain **FIRM** for the duration of the contract period of **May 1, 2021 to April 30, 2023,** **inclusive.**

VEHICLE REGISTRATION PERMITS Re: Items 1, 2, 3,4,12,13, 14, 15, 16 on Equipment List

Copies of Vehicle Registration Permits **MUST be submitted with this tender** and received prior to official closing time and date of this tender or the items bid on as stated **WILL NOT BE CONSIDERED.**

THIS FORM MUST BE COMPLETED, PROPERLY SIGNED AND RECEIVED ON OR BEFORE THE DATE AND TIME SPECIFIED, OR THE TENDER WILL NOT BE CONSIDERED.

COMPANY NAME (Please Print)

MAILING ADDRESS (RR#, BOX #, ETC.)

CITY

POSTAL CODE

TELEPHONE NO.

SIGNATURE OF AUTHORIZED OFFICIAL

DATE

FAX NO.

DURATION OF CONTRACT

RENTAL RATES shall remain **firm** for the duration of the contract period **May 1, 2021 to April 30, 2023**, inclusive.

CONFIRM/ACKNOWLEDGE: _____ (Please initial)

PAYMENT

- (a) Payment by the Township will be made bi - weekly on the basis of time sheets signed by the Township’s Public Works Supervisor in charge of the work on which the equipment was employed. The contractor will make certain that the time sheets are checked and signed by the Public Works Supervisor, otherwise no payment will be made.
- (b) Payment will **NOT** be made:
 - (i.) when the job is shut down due to weather conditions, or any other reason;
 - (ii) when the machine or equipment is broken down or otherwise unable to work;
 - (iii) on a holiday when Township employees are not working
- (c). **INVOICES** will be forwarded to Municipal Office, Township of Dorion, 170 Dorion Loop Road, Dorion, Ontario, P0T 1K0, stating date and hours worked on that date and equipment Rental Rate..
- (e) Re: **FLOAT CHARGES** (where applicable) regarding equipment listed. The Township will pay a maximum of one (1.5) hour for applicable Float Charges each way.

CERTIFICATES REQUIRED

1. **INSURANCE**

Bidders should carefully note and comply with the Insurance Requirements specified on Page 14.
NOTE: **CERTIFICATE OF INSURANCE MUST BE SIGNED BY AN INSURANCE AGENT.**

A SUCCESSFUL Bidder shall submit to the Public Works Supervisor by April 26, 2021, the required Certificate of Insurance and must remit updates for the period of the contract.

CONFIRM/ACKNOWLEDGE _____ (Please initial)

Note: \$2,000,000 Certificate of Insurance is required from successful contractors.

2. **WORKPLACE SAFETY & INSURANCE ACT**

A successful contractor shall furnish evidence of compliance with all requirements of the Workplace Safety & Insurance Act. Independent operators shall require CONFIRMATION from the Workplace Safety & Insurance Board in the form of:

- i) Certificate of Clearance
- ii) Letter of Good Standing
- iii) Independent Operator Letter

A Successful Bidder shall submit a WSIB Clearance Certificate or alternative as above, to the Public Works Supervisor by April 26, 2021 and must remit updates for the period of the contract.

CONFIRM/ACKNOWLEDGE _____ (Please initial)

3. VEHICLE REGISTRATION PERMITS re: ITEMS 1, 2, 3, 4,12,13,14,15,16 on Equipment List

Bidders of trucks MUST submit copies of their **Vehicle Registration Permit** for all trucks being offered to the Township. Such vehicle registrations are to be updated as applicable. Copies of **VEHICLE REGISTRATIONS MUST BE SUBMITTED WITH THIS TENDER** and must be received prior to the official closing time and date of this Tender or the items as stated above will NOT be considered.

CONFIRM/ACKNOWLEDGE_____ (Please initial)

CONTRACTOR'S SAFETY PLAN

The Township is statutorily obligated to ensure that the Work is undertaken and completed in a safe manner. Therefore, the Contractor must satisfy the Township that he understands this duty and is able to meet the obligation.

This document must be completed as it forms part of a completed tender. Any additional equipment, labour, or material required to meet this obligation shall not increase the bid price.

As part of a monitoring process, the Township reserves the right to regularly review the Contractor's documentation and records for compliance to Occupational Health and Safety legislation.

Attach a separate sheet if additional information is provided.

1. What process do you have in place to ensure that information, instructions and supervision are provided to your employees to protect their health and safety?
2. Do you have a regular preventative maintenance for your equipment? Is written documentation available for review?
3. What certification/licences will your operators have before beginning work ? Are these certificates on file and readily available for review? Are they current? (WHMIS, 1st aid, DZ, etc)
4. Outline the procedure you use if a personal or vehicular accident occurs? (Ie: who is contacted, any documentation that occurs, etc)

5. If an employee has a health or safety issue, how is it communicated to you and how is it addressed?

6. What safety equipment is provided for your employees (safety boot, hard hat, etc) ?
What process do you have in place to ensure compliance?

7. Outline your procedure to report an injury or accident? Are you familiar with the written requirements for the Occupational Health and Safety legislation and are the requirements at hand and easy to consult?

Date: _____, 2021

(Signature of Authorized Signing authority)

OCCUPATIONAL HEALTH AND SAFETY DECLARATION

Will you employ workers for this contract?

No_____ Yes____ If yes, what is your WSIB number _____

In submitting this Tender, _____ certifies that:
(Contractor)

- (a) I/We have a health and safety policy as required by clause 25(2)(j) the Occupational Health and Safety Act, R.S.O. 1990 c.0.1, as amended. Although, the requirement above, does not apply to employers with five or less employees. Contractors will be required to submit a safety plan as requested on page 8 & 9 of the Tender.
- (b) The contractor acknowledges his responsibility under the OHSA and ensures all work is carried out in accordance with the OHSA and regulations, ensures that competent supervision is provided, appropriate information and instruction to all workers is provided with respect to OHSA and the inherent hazards of the work undertaken, are understood by the employee.
- (c) I/We agree to take every reasonable precaution to ensure the worker health and safety.

(Signature of Authorized Signing Authority)

Date: _____, 2021

EQUIPMENT LIST: forms part of this Tender

ITEM NO.	EQUIPMENT		RATE/HOUR	DESCRIPTION MAKE & MODEL	G.V.W. in KG MINIMUM
1.	½ TON TRUCK	with 2 flag persons			
2.	Work Vehicle	4-person work crew			
3.	TANDEM DUMP TRUCK	with operator			
4.	TRI – AXLE DUMP TRUCK	with operator			
5.	BULLDOZER net min. 50 kW	with operator			
6..	BULLDOZER net min. 120kW	with operator			
7.	LOADER/BACKHOE 4-WD, net min 45kW	with operator			
8	GRADER with stinger blade	with operator			min operating wgt 14,500 kg
9	EXCAVATOR hydraulic, crawler	with operator			max operating wgt 15,000 kg
10	EXCAVATOR hydraulic, crawler	with operator			23,000 kg. min
11.	FRONT – END LOADER Min 150 kW, 4-WD, rubber-tired	with operator			
12	BELLY DUMP	with operator			25,000 kg. min
13	BELLY DUMP	with operator			25,001to 38,000kg

NOTE: Any equipment other than that being specified in the Tender will not be considered.

EQUIPMENT LIST: forms part of this Tender

ITEM NO.	EQUIPMENT		RATE/HOUR	DESCRIPTION MAKE & MODEL	G.V.W. in KG MINIMUM
14	BELLY DUMP	with operator			greater than 38,000 kg
15	WATER TRUCK	with operator			less than 16000 L
16	WATER TRUCK	with operator			greater than 16000 L
16	VIBRATORY COMPACTOR				less than 6200 kg
17.	VIBRATORY COMPACTOR				Greater than 6200 kg

NOTE: Any equipment other than that being specified in the Tender will not be considered.

SPECIFICATIONS

1) IN GENERAL

- (a) **THIS TENDER DOES NOT GUARANTEE ANY WORK AND DOES NOT COMMIT THE TOWNSHIP IN ANYWAY.**
- (b) **The duration of the contract shall be for TWO YEAR from May 1, 2021 to April 30, 2023.**
- (c) Prompt delivery of equipment/services is of the essence for the Township and will be taken into consideration when equipment/services are being required.
- (d) No changes are permitted to be made to the Form of Tender, but Service Providers may attach accompanying letters with further information.
- (e) The “Standard Terms and Conditions for Tenders” attached hereto, shall form part of this Tender.
- (f) The Township shall notify all Contractors that have been put on the list of eligible Service Providers. Notification of acceptance of a bid may be by telephone, fax or mail.
- (g) **COMPLETION OF A BID** - NOTE

- (i) **All Tender Documents must be signed and/or initialed in the spaces provided. These pages are to be submitted as part of the Tender.**
- (ii) In addition, the following completed forms should accompany the Tender;
 - i) Tender Information Form
 - ii) Contractor’s Safety Plan
 - iii) Occupational Health & Safety Declaration
 - iv) Equipment List
 - v) Vehicle Registration Permits (items #1, 2,3,4,12,13,14,15,16 on equipment list)
 - vi) Current CVOR Abstract
- (iii) The List of Successful Bidders shall submit Certificate of Insurance and WSIB Clearance Certificate by **April 26, 2021** to the Public Works Supervisor.

2) CONDITIONS OF EQUIPMENT

- (a) All equipment shall be in good mechanical condition and meet the requirements of the Highway Traffic Act and the Occupational Health and Safety Act. The Township reserves the right to cancel this agreement, if frequent mechanical breakdowns occur.
- (b) The Township reserves the right to hire equipment outside the terms of this Tender, if the contractor’s equipment is not suitable for the work to be done.

3) OPERATOR/ WORKER/FLAG PERSON

- (a) A competent driver or operator shall be provided by the Contractor for each piece of equipment covered by these specifications.
- (b) Drivers shall be the holders of **valid DRIVERS LICENCES** covering the size of the vehicle tendered.
- (c). All Suppliers must ensure their Workers/Operators/Flaggers have **Hard Hats, Safety Boots (Green Patch) and Safety Vests that are current with OHSA and all items MUST be in worn during working hours.**
- (d) Work crews must have hand tools as required to do specific work, ie: shovels and rakes for asphalt patching
- (e) Suppliers to supply STOP/SLOW paddles and MEN WORKING and FLAGGERS AHEAD signs with item #1 –“ 1- ½ ton truck with flaggers”. Also, supplier to supply “GRADER WORKING” signs with item # 8.
- (f) Where applicable, proof of training may be requested.

4) INSURANCE – RISK AND INJURY

a) LIABILITY INSURANCE

The Contractor shall obtain and maintain Comprehensive General Liability Insurance against Bodily Injury and Property Damage claims. Such insurance shall:

- a) be in the Joint names of the Contractor and the Township of Dorion
- b) include coverage for:
 - i) completed operations
 - ii) non-owned automobile liability
 - iii) occurrence property damage
- c) contain a clause stating that such insurance shall remain in force and not be amended , cancelled or allowed to lapse without thirty (30) days prior written notice being given to each of the named insured.
- d). be subject to an inclusive limit of not less than **\$2,000,000.00**

b) AUTOMOBILE INSURANCE

The Contractor shall insure and maintain against liability for Bodily Injury and Property Damage caused by automobiles owned or leased by the Contractor. Such insurance shall be subject to an inclusive limit of not less than **\$2,000,000.00**.

INSURANCE CERTIFICATE (see Page 6)

A successful contractor must have filed by April 26, 2021 with the Township of Dorion, Attention: **Public Works Supervisor**, the CERTIFICATE OF INSURANCE, showing evidence of full compliance with the any Tender clauses dealing with insurance. SIGNATURE of an INSURANCE AGENT is required.

5) WORKPLACE SAFETY & INSURANCE ACT

The successful Contractor shall also furnish evidence of compliance with all requirements of the Workplace Safety & Insurance Act. Independent operators require CONFIRMATION from the Workplace Safety & Insurance Board (WSIB); either a Certificate of Clearance, a Letter of Good Standing or Independent Operator Status. A WSIB Clearance Certificate or Independent Operator Status must be received by the Public Works Supervisor by April 26, 2021.

In the event that the successful contractor fails to deliver these documents by April 26, 2021, the Township may remove the Contractor from the list of eligible service providers notwithstanding any other provision in this Tender.

6) CONTRACTOR OPERATION OF A COMMERCIAL MOTOR VEHICLE (CVOR)

NOTE:

Where a Contractor is a CVOR Holder who intends to operate a Commercial Motor Vehicle in the performance of the Contract or in the haulage of materials to, on or from the Work Site, the Bidder shall include a CVOR Abstract as part of the Tender Documents. The search date recorded on the CVOR Abstract shall not exceed thirty (30) days from the date that it is provided.

CANCELLATION OF CONTRACTS

The Township reserves the right to terminate the contract without notice if due to non-performance and unsatisfactory service.

The Township reserves the right to call in an alternate supplier if a successful bidder is unable to provide the service when it is requested.

Confirm/acknowledge _____ (please initial)

INDEMNIFY

The Contractor shall indemnify and save harmless the Corporation of the Township of Dorion from and against all liens, damages, losses, claims, demand payments, suits, actions, recoveries and judgments of every nature and description brought against him and /or the Township by reason of any act or omission of the said contractor, his agents, or employees in the execution of, or as a result of the work or in guarding of it. All permits and fees applicable shall be acquired and paid for by the contractor.

INTENT OF SPECIFICATIONS

Should any work or materials be required which are not detailed in the specifications, either directly or indirectly, but which are nevertheless necessary for the proper carrying out of the intent hereof, the Contractor is to understand the same to be implied and required, and shall perform all such work and furnish any such material as fully as if they were particularly delineated or described.

No after claims will be allowed or entertained for obstructions or work necessary to fully complete the work whereon said Contractor made tender.

CONTRACTOR'S UNDERSTANDING

It is understood and agreed that the Contractor has by careful examination, satisfied himself as to the nature and location of the work, the quality and quantity of materials to be encountered, the character of equipment and facilities needed in the completion of the work.

AWARDS

The Township, unless it otherwise states, reserves the right to award by item, or part thereof, groups of items, or all items of the tender, and to award contracts to one or more tenderer submitting identical tenders as to price; to reject any or all submissions in whole or in part; to waive technical defects, irregularities or omissions, if in doing so, the best interests of the Township will be served.

CONFIRM/ACKNOWLEDGE _____ (please initial)