



The Corporation of the Municipality of Red Lake

**FINANCIAL SERVICES AND CONTROL
POLICY MANUAL**

Subject: Tender/Request for Proposal/ Quotation Process	Approval Date: January 19, 2015	By-Law No. 02-2015 <i>Amended by By-Law No. 43-2015 Amended by By-Law No. 67-2016</i>
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4.15 TENDER/REQUEST FOR PROPOSAL/QUOTATION PROCESS

1. PURPOSE

The purpose of this policy is to provide information to the general public and potential proponents/bidders with respect to the Tender/Request for Proposal (hereinafter referred to as the Tender/Request for Proposal (RFP)/Quotation process; to provide an internal guideline for staff and to serve as an extension of the principles outlined in the Procurement of Goods, Services or Construction and Disposal of Assets By-Law.

This policy applies only to the procurement of goods, services and construction on purchases in excess of \$75,000 plus taxes whereby sealed tenders, sealed Request for Proposals, sealed written Quotations shall be obtained in accordance to the Procurement By-Law.

2. DEFINITIONS

- a) Addenda or Addendum – means such further additions, deletions, modifications or other changes to the bid document.
- b) Bidder – means a legal entity submitting a competitive bid in response to a Call by the Municipality of Red Lake.
- c) Quotation – shall mean to state or provide, in writing, a price for securities, goods, services or construction.
- d) Proponent – means any legal entity submitting a Proposal in response to a Request issued by the Municipality of Red Lake.
- e) RFP (Request for Proposals) – means a written bid or offer solicitation that is used to acquire Goods, Services or Construction. The RFP process encourages different solutions from vendors and actively searches for better and more creative ideas for supply contracts. It is a wide open alternate bidding process. The RFP provides a process whereby the negotiation and award is based on demonstrated competence, qualifications and the technical merits of the proposal at fair price.



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f) Tender – shall mean a publicly advertised bid or offer of solicitation with a formal bid or offer, in writing, based on tender documents outlining specifications, materials, description and quantities, security, insurance, completion date, etc.

3. ADVERTISING

All Tender/RFP Calls shall be advertised in the Municipal Newsletter and on the Municipal Website. Tender/RFP Calls may be advertised in local and regional newspapers, and/or trade newspapers and publications, and/or bid publication and distribution websites (ie. Biddingo, MERX etc.)

Quotation Calls may be advertised at the discretion of the Requisitioning Department Head.

The Requisitioning Department Head should allow for a minimum of two weeks advertising for the bid project.

4. DISTRIBUTION

Packages may be picked up in person at the Clerk’s Office during regular business hours, forwarded by email in PDF format or downloaded via the municipal website at www.redlake.ca. Packages will not be faxed.

A *Registration Form* shall be completed in order to register proponents/bidders. This will guarantee notification of addendums (if any), and provide the ability to ask questions related to the bid document. Those who do not complete a *Registration Form* are responsible for obtaining all addendums associated with the project. The Municipality of Red Lake will not be responsible for misinformed proponents/bidders who neglect to complete this form.

The *Registration Form* shall be returned immediately to the Clerk’s Office via in person, email or fax.

5. CONTENTS

Tender/RFP/Quotation documents will be prepared by and in accordance to the Requisitioning Department and forwarded to the Clerk’s office for distribution. Added to the document will be a *General Instruction Sheet, Registration Form* and



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Tender/RFP/Quotation Process Policy, which will comprise the all encompassing “package”.

6. SUBMISSION

Two (2) original copies of the bid document must be received by the Clerk’s office, unless the bid document specifies otherwise, and must be in a **sealed envelope**, with the contents of the envelope clearly marked. The Clerk’s office may provide a pre-supplied label.

Submissions must be legible, written in ink or typed, with the unit price for the item(s) required and other entries clearly shown, unless the bid document permits otherwise.

Bid documents must not be restricted by any statement added to the bid document or a covering letter, or must not have alterations.

Adjustments by telephone, fax, letter or email for a bid document already received will not be considered. The proponent/bidder desiring to make adjustments to a bid document must withdraw the submission and supersede it with a new submission before the closing date and time.

Erasures, overwriting or strike outs will render the submission null and void.

7. RECEIVING

Acceptance of bid documents will close at the time and date specified in the Tender/RFP/Quotation bid document.

The Municipality will not receive bid documents via fax or email. In the event that a submission is received by mail and the outer envelope is inadvertently opened by Clerk’s office staff, the envelope shall be resealed and a note will be attached to the envelope explaining same and signed by the individual.

The Clerk’s office will maintain a running list of submissions, to be kept up to date as time permits. The list of submissions and how many submissions have been received shall remain confidential until the opening, at which time information shall be disclosed in accordance to the Procurement of Goods, Services or Construction and Disposal of Assets By-Law.



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The Clerk's office will ensure the safekeeping of submitted packages between the time of receipt and opening.

When the bid document is received, the envelope shall remain sealed and be time and date stamped accordingly. If a time stamp is not available, the time received shall be noted in ink and initialled by the receiver.

Bid documents submitted to the Municipality will be handled accordingly:

- i) Whereby the outer courier envelope is unsealed, and the inner documents are not in a sealed envelope – the submission will not be accepted.
- ii) Whereby the outer courier envelope is sealed, but the inner documents are not in a sealed envelope – the submission will not be accepted.
- iii) Whereby the outer courier envelope is unsealed, but the inner documents are in a sealed envelope – the submission will be accepted.
- iv) Whereby the outer courier envelope is sealed, and the inner documents are in a sealed envelope – the submission will be accepted.

Regardless of the time a bid document is received by the Municipality, the envelope shall be time and date stamped.

8. LATE SUBMISSIONS

Bid documents received after the closing time will not be considered.

If a bid document is received after the deadline for submissions, it shall be returned unopened to the proponent/bidder at the time of delivery, if possible. If a late bid document is to be delivered, it shall be accompanied by letter, signed by the Requisitioning Department Head, stating that the bid document could not be accepted due to late arrival. If a late bid document is received without a return address on the outside envelope, it shall be forwarded to the Requisitioning Department Head who will open it and obtain the address and return the envelope and its contents accordingly. A letter will state why the envelope could not be returned unopened.



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The Clerk's office will check the mail daily during regular business hours. On the day of a Tender/RFP/Quotation closing, the mail will be checked preceding the bid document closing time.

The Municipality of Red Lake assumes no responsibility for bid documents received after the closing date and time.

9. WITHDRAWAL PROCEDURES – PRIOR TO CLOSING

A bid document may be withdrawn at any time up to the official closing time. The request shall be in writing to the Clerk's office on official company letterhead bearing the signature of the same person as in the originating bid document submitted or a designate. The Clerk's office will accept letters of withdrawal in person, by fax or by email. **Telephone requests shall not be considered.**

Letters of withdrawal shall be attached to the bid document envelope. Receipt of the bid document will be announced at the opening, reporting that the bid document has been "Withdrawn", and the envelope to remain unopened.

After the opening and subsequent award, the withdrawn bid document shall be returned to the submitting proponent/bidder.

10. RE-SUBMISSION

The withdrawal of a bid document prior to the closing time does not disqualify a proponent/bidder from submitting another bid document on the same contract.

A proponent/bidder who has already submitted a bid document may submit a further bid document at any time up until closing. The last submission received shall supersede and invalidate all bid documents previously submitted by the same proponent/bidder.

11. CANCELLATION

When in the opinion of the Municipality of Red Lake it is advisable to cancel a Tender/RFP/Quotation Call, an advertisement shall be inserted in the same media originally used – municipal newsletter and website (as practicable) stating that the Tender/RFP/Quotation Call has been cancelled, the reason for such cancellation and whether or not the Tender/RFP/Quotation Call will be re-advertised. Each registered proponent/bidder who obtained a package shall be emailed or faxed



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written notice of the cancellation of the Tender/RFP/Quotation Call and packages received shall be returned unopened and by mail to the proponent/bidder.

12. EXTENSION TO CLOSING

The Municipality of Red Lake reserves the right to extend the closing date of a Tender/RFP/Quotation Call. Extensions to closings shall be communicated directly to all **registered** proponents/bidders, via email or fax. In addition to the foregoing, if the preparation of a Municipal Newsletter coincides with the extension date, and providing that there is ample notice to the public regarding same, the closing extension may be communicated via Municipal Newsletter and/or Municipal Website.

13. ADDENDUMS

Addendums will be made available for pick-up in person, as well as via email or fax for those proponents/bidders who are registered. Completion of the *Registration Form* is imperative in order to keep proponents/bidders up to date regarding changes to the bid document. Notification of addendums cannot be assured without the completion of a *Registration Form*. Those who do not complete a *Registration Form* are responsible for obtaining all addendums associated with the project. The Municipality of Red Lake shall not be responsible for misinformed proponents/bidders who neglect to complete this form.

All questions relating to bid documents, including matters of clarification or otherwise, shall be directed to the Requisitioning Department Head in written form and emailed to municipality@redlake.ca

Responses to questions will be communicated by way of an addendum prepared by the Requisitioning Department Head. The Requisitioning Department Head will be identified within the bid document to whom all questions shall be directed.

A deadline for submission of questions may be established at the discretion of the Requisitioning Department Head as specified in the Tender/RFP/Quotation Call package. If deemed necessary, the Requisitioning Department Head may extend



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the date of closing to provide bidders proponents/bidders with sufficient response time to addendums.

Addendums form part of the bid document and shall be submitted along with the originally distributed bid document.

14. OPENING

Completed bid documents will be publicly opened at the Municipal Office, Council Chambers, as soon as possible after the closing time, and on the day specified in the Tender/RFP/Quotation Call document.

The Requisitioning Department Head, along with a minimum of one (1) staff person from the Clerk's office, are to be in attendance at openings.

Members of the public attending are required to sign in at the opening.

- a) Tender Openings – Tender amounts shall be read out along with the bidder's name and recorded by a staff person from the Clerk's office.
- b) RFP Openings – RFP amounts shall not be read out, but the proponent's name shall be read out and recorded by a staff person from the Clerk's office.
- c) Quotation Openings – Quotation amounts shall not be read out, but the proponent's name shall be read out and recorded by a staff person from the Clerk's office.

Openings shall be conducted per project, and not simultaneously within the same public opening. The next Tender/RFP/Quotation Call opening shall follow upon conclusion of the prior opening.

The Municipality of Red Lake is not responsible for any irregularities during the reading of information and will review and correct accordingly.

Results are unofficial upon completion of the opening process. Any decision as to acceptance or rejection of submissions due to irregularities shall not be made until a review by the Requisitioning Department Head or consulting firm has been



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conducted, and all proponents/bidders will be instructed not to conclude any particular award results from the opening itself.

Where two or more bid documents are submitted in the same envelope, the one bearing the lower price shall be considered as the valid document.

Where two or more bid documents are submitted by the same proponent/bidder, and no withdrawal request has been received, and where both submissions are identical, only the submission received and time and date stamped at the latest time shall be considered.

Bid documents will be returned to the Requisitioning Department Head and/or Consulting Firm or Selection Committee, whichever the case may be, for evaluation.

Non-Budget Approval

If the project has not been included in an approved budget:

The Requisitioning Department Head, in consultation with the Consulting Firm, and/or Selection Committee, whichever the case may be, will prepare a staff report with a recommendation to Committee of the Whole or Council, along with a copy of the Unofficial Results Form, for the award of the project. The award will be formalized by a By-Law.

Post-Budget Approval

If the project has been included in an approved budget:

The Requisitioning Department Head, in consultation with the Consulting Firm, and/or Selection Committee, will prepare an Internal Memo with recommendation to the CAO, along with the Unofficial Results Form, for the award of the project. The award will be formalized by a By-Law. The Internal Memo/Unofficial Results Form shall accompany the By-Law for Council's information only.

Public Information



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Upon the opening of an RFP/Quotation, the names of proponents become public information, with the exception of the total price. A copy of the completed *Unofficial Results Form* is available to all registered proponents, but the total price will be blackened out.

Upon the opening of a Tender, the names of bidders and the total price become public information. A copy of the *Unofficial Results Form* is available to all registered bidders.

The *Unofficial Results Form* will form part of the Staff Report and will appear on an agenda of either a Committee of the Whole or Council meeting, at which time all information contained on the form, becomes public information.

Awards will be communicated by letter advising both successful and unsuccessful proponents/bidders.

RESERVES THE RIGHT

The Municipality of Red Lake reserves the right to accept/reject/cancel or re-advertise any Tender/RFP/Quotation Call. The lowest and/or any bid not necessarily accepted.

The Municipality of Red Lake reserves the right to define who can be qualified to bid for work or supply goods and services to the Municipality and reserves the right to exercise its intent to not contract with persons for the provision of goods and services who have delinquent accounts with the Municipality in accordance to the Qualified Suppliers Policy (Section 4.12 – Financial Services and Control Policy Manual).

In advance of submitting your bid document; and to guarantee notification of addendums (if any) and provide the ability to ask questions related to the bid document, please complete the Registration Form and return it accordingly

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REGISTRATION FORM

Packages will be available for pick-up in person, by email, or via the municipal website at www.redlake.ca.

Addendums to bid documents will be forwarded to all registered proponents/bidders upon completion of this form in order to **guarantee notification and receipt of addendums** (if any). Those who do not complete a *Registration Form* are responsible for obtaining all addendums associated with this project. The Municipality of Red Lake shall not be responsible for misinformed proponents/bidders who neglect to complete this form.

Addendums become part of the bid document and shall be submitted along with the originally distributed bid document.

Please return the completed form **in person, by email to municipality@redlake.ca or by fax to (866) 681-2954.**

PROJECT NAME	
CLOSING DATE	
COMPANY NAME	
PRINCIPLE CONTACT	
ADDRESS	
ADDRESS (LINE 2)	
CITY AND PROVINCE	
POSTAL CODE	
TELEPHONE	()
FACSIMILE	()
EMAIL ADDRESS	
DATE:	

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UNOFFICIAL RESULTS FORM

RFP/QUOTATION RESULTS

Project Name: _____

Closing Date and Time: _____

No.	PROPONENT'S NAME	TOTAL BASE AMOUNT INCLUDING HST (NOT TO BE READ ALOUD – RECORDED ONLY)
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10		

Requisitioning Dept. Head Signature: _____

Clerk's Dept. Signature: _____

The Municipality of Red Lake is not responsible for any irregularities during the reading of information and will review and correct accordingly.

THE ABOVE RESULTS ARE PRELIMINARY AND NO CONCLUSION OF AWARD SHOULD BE MADE FROM THE INFORMATION ABOVE

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UNOFFICIAL RESULTS FORM

TENDER RESULTS

Project Name: _____

Closing Date and Time: _____

No.	BIDDER'S NAME	TOTAL BASE AMOUNT INCLUDING HST
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10		

Requisitioning Dept. Head/Staff Lead Signature: _____

Clerk's Dept. Signature: _____

The Municipality of Red Lake is not responsible for any irregularities during the reading of information and will review and correct accordingly.

THE ABOVE RESULTS ARE PRELIMINARY AND NO CONCLUSION OF AWARD SHOULD BE MADE FROM THE INFORMATION ABOVE



GENERAL INSTRUCTIONS

1. All bid documents must be submitted in accordance to the location, date, time and manner as specified in the Tender/RFP/Quotation Call.
2. All **bid documents** and **corresponding addendums** must be submitted in a **sealed envelope**, and clearly marked as to its contents in ink or typed form, or by a pre-supplied label by the Municipality of Red Lake.
3. As submissions are received, they are time and date stamped by the Clerk's office at the Municipal Office to ensure compliance with the closing date and time.
4. The Municipality of Red Lake will not accept **faxed or emailed bid documents**.
5. Late submissions will not be accepted and will be returned unopened to the receiver at the time of submission and if not possible, shortly thereafter by regular mail.
6. Openings are a public process and will be held in the Council Chambers, Municipal Office at the time of closing or shortly thereafter, and on the date as specified in the Tender/RFP/Quotation Call documents.
7. For tenders, the name of the bidder and the total amount will be read aloud and duly recorded. For RFPs and Quotations, the name of the proponent will be read aloud and recorded, but not the total amount.
8. All members of the public in attendance at the opening are required to sign the *Attendance Form*.
9. Following the opening, the completed *Unofficial Results Form* and accompanying bid documents will be given to the Requisitioning Department Head for evaluation.

The lowest and/or any bid not necessarily accepted.

The Municipality of Red Lake reserves the right to accept/reject, cancel/re-advertise any Tender/RFP/Quotation Call.

BID IRREGULARITIES

A Bid Irregularity is a deviation between the requirements (terms, conditions, specifications, special instructions) of a bid request and the information provided in a bid response.

For the purposes of this policy, Bid Irregularities are further classified as “**Major Irregularities**” or “**Minor Irregularities**”.

A “**Major Irregularity**” is a deviation from the bid request that affects the price, quality, quantity or delivery, and is material to the award. If the deviation is permitted, the proponent/bidder could gain an unfair advantage over competitors. The Requisitioning Department Head must reject any bid, which contains a major irregularity.

A “**Minor Irregularity**” is a deviation from the bid request, which affects form, rather than substance. The effect on the price, quality or delivery is not material to the award. If the deviation is permitted or corrected, the proponent/bidder would not gain an unfair advantage over competitors. The Requisitioning Department Head may permit the proponent/bidder to correct a minor irregularity.

Mathematical Errors – Rectified by Staff

The Treasurer or designate will correct errors in mathematical extensions and/or taxes, and the unit prices will govern.

Action Taken

The Requisitioning Department Head will be responsible for all action taken in dealing with bid irregularities, and acts in accordance to the nature of the irregularity:

- Major Irregularity (Automatic Rejection)
- Minor Irregularity (Proponent/Bidder May Rectify)
- Mathematical Error (Additions or Extensions) as above

In the event that the Proponent/Bidder withdraws a bid due to the identification of a Major Irregularity, the Municipality may disqualify such Proponent/Bidder from participating in Municipal Tenders/RFP/Quotation Calls for a period of up to one (1) year.

BID IRREGULARITIES – SUMMARY

Item	Description	Major	Minor	Action
1.	Faxed or Emailed Bid Documents	X		Automatic Rejection
2.	Late Bids (By Any Amount of Time)	X		Automatic Rejection
3.	Bid Completed in Pencil	X		Automatic Rejection
4.	Bid Surety not submitted with the bid when the bid request (or any addendum) indicated as such	X		Automatic Rejection
5.	Execution of Agreement to Bond: a) Bond Company Corporate Seal or Equivalent proof of authority to bind company or signature missing b) Surety Company not licensed to do business in Ontario	X		Automatic Rejection
6.	Execution of Bid Bonds: a) Corporate Seal or Equivalent proof of authority to bind company or signature of Proponent/Bidder or both missing b) Corporate Seal or Equivalent proof of authority to bind company or signature of Bonding Company missing	X		Automatic Rejection
7.	Other Bid Security: Cheque which has not been certified	X		Automatic Rejection
8.	Proponent/Bidder not attending mandatory site meeting by a qualified representative of the organization	X		Automatic Rejection
9.	Unsealed Tender Envelopes (envelope containing tender documents – not outer (courier) envelope)	X		Automatic Rejection
10.	Proper Response Envelope or Label Not Used/Envelope does not indicate project name		X	Acceptable if received on time
10.	Pricing or Signature Pages Missing	X		Automatic Rejection
12.	Insufficient Financial Security (i.e. No deposit or Bid Bond or Insufficient Deposit	X or	X	a)Where security is required and amount is not specified in request, Automatic Rejection unless insufficiency is de minimus (trivial or insignificant) b) Where security is required and amount of security is specified in request, Automatic Rejection
13.	Bid Received on documents other than those provided in request	X		Not acceptable unless specified otherwise in request – Automatic Rejection
14.	Execution of Bid Document – Proof of authority to bind is missing	X		Automatic Rejection

BID IRREGULARITIES – SUMMARY – CONTINUED

Item	Description	Major	Minor	Action
15.	Part bids (i.e. all items not included in bid)	X or	X	Acceptable unless complete bid has been specified in the request
16.	Bids containing minor clerical errors		X	Two (2) working days to correct initial errors electronically (email or fax) but originals must follow. Municipality reserves the right to waive initialing and accept bid
17.	Uninitialed changes to request documents which are minor (i.e. proponent's/bidder's address in amended by overwriting but not initialed		X	Two (2) working days to correct initial errors electronically (email or fax) but originals must follow. Municipality reserves the right to waive initialing and accept bid
18.	Alternate Items Bid in Whole or in Part		X	Available for further consideration unless specified otherwise in request
19.	Unit Prices in the Schedule of Prices have been changed, but not initialed		X	Two (2) working days to correct initial errors electronically (email or fax) but originals must follow. Municipality reserves the right to waive initialing and accept bid
20.	Other Mathematical errors which are not consistent with the unit prices		X	Two (2) working days to initial corrections electronically (email or fax) but originals must follow. Unit prices will govern
21.	Pages requiring completion of information by proponent/bidder are missing	X		Automatic Rejection
22.	Bid Documents which suggest that the proponent/bidder has made a major mistake in calculations or bid	X or	X (depends on outcome of consultation with solicitor)	Consultation with a Solicitor on a Case-by-Case basis and referenced within the staff report if applicable

NOTE: The above list of irregularities should not be considered all-inclusive. The Requisitioning Department Head, in consultation with the Treasurer or designate, will review minor irregularities not listed. The Requisitioning Department Head may then accept the bid or request that the proponent/bidder rectify the deviation.