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## THE MUNICIPALITY OF SOUTHWEST MIDDLESEX CONTRACT FOR SUPPLY AND PLACEMENT OF ROAD GRANULAR MATERIALS

### **PART 1: SPECIAL PROVISIONS - GENERAL**

#### **A. GENERAL:**

Unit price tenders will be submitted on the tender form in a sealed envelope.

Tenders will be received at the office of:

Public Works Manager  
Municipality of Southwest Middlesex  
153 McKellar Street  
Glencoe, Ontario N0L 1M0

not later than 3 pm local time, Monday, February 25, 2019

**The lowest bid not necessarily accepted.**

Tenders will be opened publicly, at 3:00 p.m. on Monday, February 25<sup>th</sup> 2019 in the Council Chambers at the Municipality of Southwest Middlesex offices.

#### **B. SCOPE:**

The scope of the proposed works is to supply granular materials for road re-gravelling within the Municipality of Southwest Middlesex. All granular materials shall conform to the applicable Ontario Provincial Standard Specifications. The material will be deposited in the locations as specified by a municipal representative. Grading, compaction and dust control will be the Municipality's responsibility.

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## **C. TENDER DEPOSIT:**

All tender proposals shall be accompanied by a **certified cheque** for \$5,000. (Five Thousand) made payable to the Owner, as a guarantee for the execution of the contract.

All tender deposits will be returned to the respective bidders within 10 days after the tenders have been opened except those of the low two bidders which shall be retained by the Owner until the successful bidder has executed the contract documents.

The tender deposit of the successful bidder will be returned when they have fully complied with the conditions outlined in the tender documents, and the work has commenced within the specified time frame.

## **D. RIGHT TO ACCEPT OR REJECT TENDERS:**

Tenders may be invalid if the forms are not properly and fully completed. Tenders must be on the form provided. No substitutions will be considered. Acceptance or rejection will be at the sole discretion of the Owner.

## **E. UNACCEPTABLE TENDERS:**

Each item in the Tender Form shall be a reasonable price for such item. Under no circumstances will an unbalanced tender be considered. The Owner will be sole judge of such matters, and should any tender be considered to be unbalanced, then it will be rejected by the Owner.

## **F. ABILITY AND EXPERIENCE OF BIDDER:**

The Owner reserves the right to reject the tender of any bidder who does not furnish satisfactory evidence of sufficient capital, plant and experience to successfully execute and complete the work in the specified time.

As part of this Tender Package, Standard Forms for listing experience at performing similar work have been included. The Contractor's tender document shall include the completed form with their submission of tender.

## **G. PAYMENTS:**

Payments will be made subject to the provision of monthly invoices submitted to the Municipality accompanied by appropriate product receipt tickets signed by Municipal personnel. Payments will be made within 30 days of receipt of said invoices and material testing results. Requests for payment shall be accompanied by a current Workplace Safety Insurance Board Clearance Certificate. The Municipality can be invoiced at:

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**The Municipality of Southwest Middlesex  
153 McKellar Street  
Glencoe, Ontario, N0L 1M0**

## **H. INQUIRIES DURING TENDERING:**

The Bidder is advised that inquiries regarding the interpretation of this Tender or specifications shall be directed to the Municipality of Southwest Middlesex's office, Telephone: (519) 287-2015, Greg Storms, Public Works Manager.

## **I. THE OCCUPATIONAL HEALTH AND SAFETY ACT:**

The Contractor must ensure compliance with the Occupational Health and Safety Act and indemnify the Municipality of Southwest Middlesex for any failure to do so.

## **J. LIABILITY INSURANCE, INDEMNIFICATION AND HOLD HARMLESS:**

The Contractor shall indemnify and save harmless the Municipality of Southwest Middlesex from and against all claims, demands, loss, damages, etc. The limit of liability insurance shall be a minimum of \$5,000,000.00 (Five Million) in respect of any one accident. The Contractor shall provide to the Municipality proof of said insurance, naming the Municipality of Southwest Middlesex as "additional insured and hold harmless", prior to the commencement of work.

## **K. SCHEDULE OF WORK:**

The granular material is to be supplied to the specified jobsite within 5 (five) working days after notification from the Public Works Manager or designate.

## **L. LIST OF SUB-CONTRACTORS:**

The Contractor agrees to submit a list of any Sub-Contractors who will be carrying out any part of this contract. This list shall show the names of the proposed Sub-Contractors and for what work each Sub-Contractor will be responsible. The Owner has the right to reject any of the contractors so named. In this event, the Contractor shall arrange to have the work done by such other Sub-Contractor as may be approved by the Owner.

Should the Contractor cease operations, under no circumstances shall Sub-Contractors be allowed to continue the work on the site unless an authorized representative of the Contractor is present on the site at all times. The Contractor shall notify the Owner in writing of the names and positions of the person or persons so representing the Contractor.

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As part of this Tender Package, Standard Forms for listing of any Sub-Contractors have been included. Tenderers shall include the completed form with their submission of Tender.

## **M. SUPPLY OF MATERIALS:**

The successful bidder will be responsible for the supply of granular material to the jobsite. Unit Prices quoted on the Form of Tender will include all associated costs including material, trucking, applicable taxes, etc. All delivered materials shall include a weight ticket measured in metric tonnes, and signed by the municipal representative at the end of each day.

Municipal works crew will grade and compact the supplied granular material. The Contractor shall supply at least **three hundred tonnes (300 tonnes)** of granular material per hour unless specified otherwise by the Public Works Manager or Roads Foreman. The tonnes to be delivered daily shall be confirmed with the Contractor once notification of delivery is made.

The Contractor shall supply a list of supplier(s) of the Granular material related to the tendered works.

All materials must be from sources that are either on the Designated Sources List, the Aggregate Sources List or Approved by the Ministry of Transportation.

All material applied to Municipal roads shall be supplied with bottom dump hopper trucks with cab control in working order for spreading.

**Weigh slips must be signed for each load by Municipal staff.**

## **N. ONTARIO PROVINCIAL STANDARDS GENERAL CONDITIONS OF CONTRACT:**

Unless otherwise noted, the general terms and conditions of the Ontario Provincial Standards General Conditions of Contract (OPS-GC) shall prevail.

## **O. EXECUTE CONTRACT:**

Tenders shall be open for acceptance for a period of 30 days after the closing date. After this time the tender may only be accepted with the consent of the successful bidder.

The successful bidder shall execute the contract documents within 10 calendar days of receipt of notification of acceptance of tender.

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Failure by the successful bidder to meet the above requirements will entitle the Owner to cancel the award of the contract and to retain the bid deposit as compensation for damages sustained due to the bidders' default. The Owner may award the contract to one of the other bidders or take such action as he/she chooses.

## **P. LOCATION OF WORK:**

The work will be located at the following locations within the Municipality of Southwest Middlesex:

Trillium Dr	Dogwood – South of Concession
Centreville Dr	Irish Dr
Coltsfoot Dr to Haggerty	Hyndman Dr
Gentleman Dr	River Dr
Riverside Dr	Point Rd
Sassafrass	Springfield Rd – South of Glendon
Cashmere	Mayfair Rd – South of Glendon
Walnut Rd	Tait's Rd – South of Parkhouse
Big Bend Rd – South of Concession	Dobie Dr
Old Airport Rd – South of Concession	Maple Dr
Switzer Dr	Gate Dr
Newbiggen Dr	McArthur Rd – South of Glendon
Dundonald – South of Longwoods	Carrol Dr

## **Q. DEFINITION OF OWNER:**

Wherever the word "Corporation", "Township", "Municipality" or "Owner" appears in this contract it shall be interpreted as meaning the "Municipality of Southwest Middlesex".

## **R. TENDER QUANTITIES:**

Tender Quantities are approximate and may vary dependent upon site conditions encountered and budget constraints.

The Owner reserves the right to extend or restrict the contract as it sees fit.

## **S. ONTARIO PROVINCIAL STANDARDS AND SPECIFICATIONS:**

The Ontario Standard Provincial Standards and Specifications (OPSS) and the Ontario Provincial Standard Drawings (OPSD) as well as the MTO Standard Specifications and Standard Drawings, form part of this contract.

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The text of all the OPSS's are contained in the Manual "Ontario Provincial Standard Specifications":

**Volume 1    Construction**  
**Volume 2    Materials**

OPSD's are contained in the Manual "Ontario Provincial Standards for Roads and Municipal Services" Volume 3.

## **T. GOVERNMENT REQUIREMENTS:**

The Contractor Shall obey all Federal, Provincial, and Municipal Laws, Acts, Ordinances, Orders in Council and By-Laws which could in any way pertain to the work outlined in the contract or to the Employees of the Contractor.

## **U. NOTICE TO CONTRACTORS RE: EMPLOYMENT:**

The Contractor and any Sub-Contractor of the Contractor will, respective of this contract,

Employ only residents of Canada and those persons legally able to work in Canada,

In employing persons, refrain from discriminating against any person by reason of their race, religion, political affiliations, or gender.

## **V. HOURS OF WORK:**

The usual hours of work are Monday to Friday, from 7:15 a.m. to 3:30 p.m. If the Contractor wishes to extend the normal working hours, all overtime expenses incurred by the Municipality will be reimbursed by the Contractor. Weekend work is usually not undertaken, but may be in exceptional circumstances, at the discretion of the Public Works Manager or designate. There will be no additional compensation for weekend work.

## **W. MATERIAL SPECIFICATIONS:**

All material must conform to the Ontario Provincial Standards and Specifications (OPSS), 1001, 1004, 1010.

The undersigned agrees to supply approximately 34,000 tonnes to the roads of the Municipality of Southwest Middlesex. A minimum of 1,500 tonnes per day must be spread.

The undersigned agrees to supply 100% of the gravel in Item numbers 1 (if selected) prior to July 2, 2019, or as directed by the Public Works Manager or designate.



# The Municipality of Southwest Middlesex

Tender Description: Supply and Placement of Road Granular Materials

**Closing Date: February 25, 2019, 3 p.m.**



Approximately 1000 tonnes of 3\4" "A" gravel to be delivered to the Municipal works garages for stockpiling. There are two works garages in the Municipality, therefore approximately 500 tonnes to Appin garage and 500 tonnes to Glencoe garage.

Approximately 1000 tonnes of 3\4" clear crushed stone to be delivered to the Municipality's works garages for stockpiling. There are two works garages in the

Municipality, therefore approximately 500 tonnes to Appin garage and 500 tonnes to Glencoe garage.

- Granular "M" minimum of 60% crushed.
- Granular "M" shall not contain RAP or asphalt coated particles.
- The clear stone shall be 3\4" clear crushed stone.
- Granular "A" minimum of 60% crushed.
- Granular "A" shall not contain RAP or asphalt coated particles.
- Test results of the granular "M" will be submitted to the Municipality on a weekly basis or as required by the Municipality.
- The Municipality reserves the right to increase or decrease quantities by 10%.

## **X. METHOD SPECIFICATION:**

Granular material will be stockpiled in accordance with OPSS 1001.

## **Y. SITE ACCESS:**

All loaded trucks will travel on County of Middlesex roads to the jobsite location. Trucks will enter the jobsite from County roads and proceed to the location of delivery of the materials.

## **Z. QUALITY ASSURANCE TESTING:**

The successful Contractor will provide the Municipality with Quality Assurance Samples from the stockpile. Delivery of the material on-site will not be accepted until acceptable quality assurance testing results have been received.

Prior to commencing work the Contractor is to provide Quality Assurance Samples from the proposed stockpile and the Contractor shall provide Quality Control Data for the aggregate stockpile within 5 days of notification of the acceptance of tender.

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Tender Description: Supply and Placement of Road Granular Materials

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Quality Control submission shall include Gradation (LS 602), Percent Crushed (LS 607), and Micro Deval Abrasion Loss (LS-618).

## **FORM OF TENDER AND AGREEMENT SUPPLY OF GRANULAR MATERIALS MUNICIPALITY OF SOUTHWEST MIDDLESEX**

TO: Mayor and Council – Municipality of Southwest Middlesex

The undersigned, having carefully examined the specifications and location of the work and understanding all conditions hereby offers to enter into a contract to supply and where warranted apply all materials for the said Municipality, complete and ready to use in accordance with specifications on file at the office of the Municipality which specifications form the basis of the proposal for the following process:

**We understand that the Municipality may accept tenders for the complete works or a portion thereof as set out above and that the lowest or any tender may not necessarily be accepted.**

We the undersigned hereby tender to supply and apply all materials and labour as specified and required within this tender.

If awarded this Contract (Item # 1) the Contractor agrees this portion must be fully completed (100%) on or before July 2, 2019.

### **The Tender shall enclose the following:**

- a) A Certified cheque of \$                     **\$5000**                     representing the bid deposit as specified in the "Instructions to Tenderers".
- b) Insurance Certificate of Liability in the amount of not less than \$5,000,000.00 for each and every occurrence.
- c) A Certificate of Clearance from the Workplace Safety Insurance Board stating that all compensation has been paid. (To be submitted prior to starting work and upon completion of the contract.)

**The Municipality of Southwest Middlesex**

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The Contractor shall complete the following section:

**OFFERED ON BEHALF OF THE CONTRACTOR**

**Company Name** \_\_\_\_\_

**Address** \_\_\_\_\_  
\_\_\_\_\_

**Phone** \_\_\_\_\_ **Fax** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Date** \_\_\_\_\_

**Seal if Incorporated**

**ACCEPTED ON BEHALF OF THE MUNICIPALITY OF SOUTHWEST MIDDLESEX**

**MAYOR** \_\_\_\_\_

**CAO/Clerk** \_\_\_\_\_

**Date** \_\_\_\_\_

**The Municipality of Southwest Middlesex**

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**SUPPLY AND PLACEMENT OF GRANULAR MATERIALS  
CONTRACT  
HOLD HARMLESS AGREEMENT**

The Contractor covenants and agrees to indemnify and save harmless the Municipality of Southwest Middlesex of and from all claims, demands, actions and causes of actions which may arise or exist, as a result of the work and undertaking of the Contractor.

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Authorized Signature

Seal if Incorporated

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Dated

**The Municipality of Southwest Middlesex**

Tender Description: Supply and Placement of Road Granular Materials

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**SUPPLY AND PLACEMENT OF GRANULAR MATERIALS  
FORM OF TENDER**

**Schedule "A" – Major Equipment**

The following equipment is proposed for use on this tender:

<b>TYPE</b>	<b>YEAR OF MANUFACTURE</b>	<b>DESCRIPTION (e.g. size)</b>

**Schedule "B" – Work Experience**

The following Granular Materials were recently supplied by our firm:

<b>LOCATION</b>	<b>DATE COMPLETED</b>	<b>TYPE &amp; VOLUME OF GRAVEL SUPPLIED</b>

**Schedule "C" – Sub-Contractors**

The following are proposed Sub-Contractors for portions of the tender listed:

<b>ITEM #</b>	<b>SUB-CONTRACTOR</b>

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**SUPPLY AND PLACEMENT OF GRANULAR MATERIALS  
SCHEDULE OF ITEMS AND PRICES**

**ITEM NO. 1**

34,000 tonnes more or less of granular "M" to be delivered and spread on the Southwest Middlesex roads.

Unit price per\tonne \$\_\_\_\_\_ x 34,000 tonnes = \$\_\_\_\_\_

**ITEM NO. 2**

1000 tonnes more or less of 3\4" clear crushed stone to be delivered to the Municipality for stockpiling.

Unit price per\tonne \$\_\_\_\_\_ x 1000 tonnes = \$\_\_\_\_\_

**ITEM NO. 3**

1000 tonnes more or less of granular "A" to be delivered to the Municipal Works Garage for stockpiling.

Unit price per\tonne \$\_\_\_\_\_ x 1000 tonnes = \$\_\_\_\_\_

**ITEM NO. 4 (SEPARATE)**

500 tonnes more or less of 3\4" clear crushed stone supplied as needed to the Works Department for operational needs. Do **not** include this item in the Total Gravel Tender Quote. Delivery to various sites within the Municipality.

Unit price per\tonne \$\_\_\_\_\_ x 500 tonnes = \$\_\_\_\_\_

**SOURCE LOCATION**

The gravel source (pit) must be specified.

GRANULAR "M" \_\_\_\_\_

GRANULAR "A" \_\_\_\_\_

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**TOTAL GRANULAR QUOTE**

ITEM #1 \$ \_\_\_\_\_

ITEM #2 \$ \_\_\_\_\_

ITEM #3 \$ \_\_\_\_\_

**SUBTOTAL** \$ \_\_\_\_\_

HST \$ \_\_\_\_\_

**TOTAL INCLUDING APPLICABLE TAXES** \$ \_\_\_\_\_