



**Municipality of
Magnetawan**

P.O. Box 70, 4304 Hwy 520
Magnetawan, ON
P0A 1P0

***Lead Contact: Scott Edwards
Public Works Superintendent
P.O. Box 70, 4304 Hwy 520
Magnetawan, ON
P0A 1P0***

Email: publicworks@magnetawan.com

Request for Proposal 2021-01

**Consultant – Design Recommendation, Design and Project
Management: 6.5m x 21.5m Culvert #11 Replacement
West Poverty Bay**

Date of Issue: Wednesday February 3, 2021

Proposal Submission Deadline Friday March 5, 2021 at 3:00 p.m.

Section 1 Introduction and General Instructions

1.01 Introduction

The Municipality of Magnetawan is inviting bids and design proposals from a Consulting Engineer (hereinafter referred to as "the Bidder") to provide engineering services that include design recommendation, design, site management and costing for the replacement of a 6.5m x 21.5m CSP arch culvert. The successful Bidder shall provide professional engineering services that include, but not be limited to: construction drawing sets and oversee the bidding process and selection of a contractor if required. Also required will be the site supervision by technically capable consultant staff.

This Request for Proposals document (and any other applicable attachments or addenda) is available in PDF format through the Municipality of Magnetawan's website at www.magnetawan.com

Any information contained in the Request for Proposal that is changed by the Bidder (except for filling in the blanks) will be grounds for disqualification.

Magnetawan's Procurement By-law is available for review at the Municipal Office or on the website.

1.02 Submission of Proposals

Proposals shall be submitted in the form and format specified in Section 3 and shall include the completed Form of Proposal included as Section 5 at the end of this document. A designated signing officer authorized to bind the Bidder to the provisions of their Proposal must sign the Form of Proposal. Any addenda issued by the Municipality of Magnetawan in accordance with Subsection 1.06 must be acknowledged by the Bidder on the Form of Proposal.

All hard copy proposals must be signed, sealed, the envelope marked with the Bidder's name and the Project Name, and received by: The Municipality of Magnetawan, PO Box 70, 4304 Hwy 520, Magnetawan, ON P0A 1P0.

Electronic submissions will be accepted in response to this RFP due to COVID-19 Pandemic. Electric submissions will not be reviewed until the proposal opening.

Faxed submissions will not be accepted.

Project Name: RFP 2021-01 Consultant – Culvert No. 11 West Poverty Bay

Proposals must be received no later than Friday March 5, 2021 at 3:00 p.m.

Proposals must not be restricted by a statement added to the Form of Proposal or by a covering letter, or by alterations to the Form of Proposal supplied unless otherwise provided in the RFP.

The onus unequivocally remains with the Bidder to ensure that the Municipality of Magnetawan receives proposals delivered or sent by courier prior to the Proposal Submission Deadline, in accordance with the submission process described in this section. Proposals received after the Proposal Submission Deadline will not be considered.

1.03 Contacts

All questions or inquiries must be made in writing or email to the Lead Contact named below:

*Scott Edwards
PO Box 70, 4304 Hwy 520
Magnetawan, ON
POA 1P0*

publicworks@magnetawan.com

IMPORTANT: A Bidder may be disqualified if they make inquiries, between the Proposal issue date and the notification of the Award, in a manner other than that described in this RFP or to anyone involved in the process who is not the Lead Contact, including but not limited to the members of Council. This is to ensure that each Bidder receives the same information, and that no Bidder receives unfair treatment during the RFP process.

1.04 Schedule

The schedule set out herein represents the Municipality of Magnetawan's best estimate of the schedule that will be followed, and it is intended to be a guideline.

The approximate schedule is as follows:

RFP issue date	Wednesday February 3, 2021
Final date of posting of addenda	Friday February 26, 2021 by 4:30 p.m.
Proposal Submission Deadline	Friday March 5, 2021 by 3:00 p.m.
Proposal Opening	Friday March 5, 2021 by 3:30 p.m.

1.05 Required Review and Clarification

Bidders shall carefully review this RFP. If questions concerning clarification of the contents of this document arise, the questions must be made in writing and received by the Lead Contact. This will allow time for the issuance of any necessary addenda. Protests based on any omission or error or on the content of the RFP will be disallowed if these perceived faults have not been brought to the attention of the Lead Contact.

In submitting a Proposal, the Bidder acknowledges that they have read, completely understood, and accepted the terms and conditions of the RFP in full. The Municipality of Magnetawan is not responsible for any misunderstanding of the RFP.

1.06 Amendments to the RFP

The Municipality of Magnetawan may issue addenda as they are received, clarify and/or modify certain aspects of the RFP prior to the Proposal Submission Deadline. No addenda shall be posted after **Friday February 26, 2021**. Addenda will be posted to our website at www.magnetawan.com and shall be available in the Municipal Office.

1.07 Opening of Proposals

A Request for Proposals is evaluated on a more comprehensive set of criteria than a Tender. As such, the contract will not be awarded at the opening, but only after the Evaluation Committee has examined all Proposals in detail and presented their recommendation to Council. Bidders will be notified of the date for the Council meeting at which the Award will be decided, and they are welcome to attend.

1.08 Reserved Rights of the Municipality of Magnetawan

The Municipality of Magnetawan reserves the right to:

- a. make public the names of any or all Bidders and their quoted price;
- b. request written clarification or the submission of supplementary written information in relation to the clarification request from any Bidder and incorporate a Bidder's response to that request for clarification into the Bidder's Proposal;
- c. adjust a Bidder's scoring or reject a Bidder's Proposal on the basis of
 - i) a financial analysis;
 - ii) information provided by references;
 - iii) the Bidder's past performance on previous contracts awarded by the Municipality of Magnetawan;
 - iv) the information provided by a Bidder pursuant to the Municipality of Magnetawan exercising its clarification rights under this RFP process; or
 - v) other relevant information that arises during the RFP process;
- d. verify with any Bidder or with a third party any information set out in a Proposal;
- e. check references other than those provided by any Bidder;
- f. disqualify any Bidder whose Proposal contains misrepresentations or any other inaccurate or misleading information, or any qualifications;
- g. disqualify any Bidder or the Proposal of any Bidder who has engaged in conduct prohibited by this RFP;
- h. make changes, including substantial changes, to this RFP provided that those changes are issued by way of addenda in the manner set out in this RFP;
- i. select the Bidder other than the Bidder whose Proposal reflects the lowest cost to the Municipality of Magnetawan or the highest overall score;
- j. cancel this RFP process at any stage;
- k. cancel this RFP process at any stage and issue a new RFP for the same or similar deliverables;
- l. accept or reject any or all Proposals in whole or in part;
- m. discuss with any Bidder different or additional terms to those contemplated in this RFP or in any Bidder's Proposal;
- n. if a single Proposal is received, reject the Proposal of the sole Bidder, and cancel this RFP process or enter into direct negotiations with the sole Bidder.
- o. to negotiate with the two lowest bidders.

These reserved rights are in addition to any other expressed rights or any other rights which may be implied in the circumstances.

1.09 Not Responsible for Costs

The Municipality of Magnetawan shall not pay any costs associated with the preparation, submission, or presentation of the Bidder's Proposal. The Municipality of Magnetawan shall not be liable for any expenses, costs or losses suffered by the Bidder or any third party resulting from the Municipality of Magnetawan exercising any of its expressed or implied rights under this RFP.

1.10 Proposal Expiry Date

Bidders hereby acknowledge that their Proposals shall be irrevocable for a period of **90 days** from the Proposal submission deadline. Extensions to this period may be granted with the mutual agreement of the Municipality of Magnetawan and the successful Bidder and may be initiated by either party.

1.11 Confidentiality and Ownership

Any information provided to the Bidder by the Municipality of Magnetawan before, during or after the project is completed shall be treated as confidential and shall not be used or communicated by the Bidder or any third party in any way unless otherwise identified or permitted by the Municipality of Magnetawan. The information, reports, documentation, plans, etc. that are produced by the successful Bidder in response to this project shall become the exclusive property of the Municipality of Magnetawan; however, intellectual property, such as specific tools, templates, processes, etc. that the Bidder provides as part of the deliverables remains the property of the Bidder.

1.12 Invoicing

The request for proposal shall include an outline of the payment invoicing schedule. It should be noted that the Municipality of Magnetawan's standard terms of payment are net 30 days from the date of when the invoice is received.

1.13 Freedom of Information

Any personal information required in the Proposal is received under the authority of the Municipality of Magnetawan. This information shall be an integral component of the submission. All written Proposals received by the Municipality of Magnetawan become a public record. Once a Proposal is accepted by the Municipality of Magnetawan and the contract has been awarded, all information contained in the Proposals may be available to the public, including personal information. Questions about the collection of personal information and the Municipal Freedom of Information and Protection of Privacy Act, 1989, R.S.O. 1990, as amended may be directed to the Lead Contact.

1.14 Additional Requirements

- (a) The use of appropriate and credible sub-contractors by the Bidder to perform portions of the project is permitted only if the Bidder declares such use in the Proposal;
- (b) The successful Bidder shall, throughout the term of the contract, obtain and maintain in force a General Liability Insurance and/or Professional Liability Insurance coverage of not less than \$5,000,000 per occurrence inclusive, to indemnify and hold harmless the Municipality of Magnetawan against any liability for property damage or personal injury, including death, which may arise from the Bidder's operations under this contract;
- (c) The successful Bidder shall ensure that all services and products provided in respect to this proposal are done so in accordance with and under the authorization of all applicable authorities, municipal, provincial, and/or federal legislation, including but not limited to WSIB and all applicable responsibilities under Occupational Health and Safety Act.

1.15 Contract for Consulting Services

The successful Bidder shall enter into a Consulting Services Contract with the Municipality of Magnetawan following award of this RFP. The contract will cover a range of issues including but not limited to fees and rates, notice of staff changes, Contract term and renewal, and Contract cancellation. The Contract will require the successful Bidder to acknowledge the Municipality of Magnetawan's right to direct specialized work, large projects, or other necessary projects to a competitive procurement process. If mutually acceptable terms and conditions can be reached between the successful Bidder and the Municipality of Magnetawan, the Contract shall be signed. In the event of a failure to arrive at a mutually acceptable Contract, the Municipality of Magnetawan may accept a Bid from a different Bidder or carry out the work in any other way deemed appropriate by the Council of the Municipality of Magnetawan.

Section 2 Scope of Work and Project Requirements

2.01 Municipality of Magnetawan Description

The Municipality of Magnetawan is situated in the east portion of the District of Parry Sound in the Province of Ontario and has a land area of approximately 530 square kilometres and a population of approximately 1,450 (2011). There are sixteen (16) bridges and nine (9) large diameter culverts on the municipal asset list. The culvert in question is # 11, **located at Lot 15, Concession 11, in Croft Twp.** Culvert # 11 is located 3.3 km North of Highway 124 on West Poverty Bay Road.

2.02 Scope of Work

The Municipality of Magnetawan is interested in contracting a consulting engineer to perform site assessment, design, and project management (including tendering and oversight of bidding process and contractor selection if required). The work awarded shall include construction sets of drawings. Also, the Bidder will assist the Municipality and provide expertise in site/construction inspection. As Culvert # 11 is the only means to Magnet Road for the Residents and emergency services the actual construction must include plans for traffic to pass via one lane during the entire phase of the construction.

2.03 Required Services

The services to be provided by the successful Bidder will include but not be limited to those areas as set out below. Generally, services provided by the successful Bidder in each area shall include but not be limited to consulting, advising, estimating, investigating, pre-design, project management, detailed design, contract administration, obtaining necessary approvals, and general review.

The successful Bidder shall have staff resources and expertise to provide technical skills and knowledge in, as a minimum, the following areas:

- Site assessment.
- geotechnical/hydrological assessment.
- acceptable design solutions and recommendations (MoE, DFO approvals as required).
- design (c/w practical cost estimate of the construction work).
- Provision of properly draughted of drawings.
- Tender composition and release via advertising if required.
- Construction layout and supervision.

2.04 Municipality of Magnetawan Reserved Right to Outside Consultant

The Municipality of Magnetawan reserves the right to submit any engineering work, either within or outside of the services contracted through this RFP, to a competitive process. The successful Bidder shall be permitted to submit a bid for any such external competitive process.

Section 3 Proposal Submission Requirements

For the Municipality of Magnetawan to evaluate Proposals fairly and completely, Bidders shall provide **all** of the information requested in the format set out in the RFP. Failure to provide all required information as detailed in this section may result in the Bidder being disqualified or scoring poorly in the evaluation.

Each Proponent shall submit their Proposal, containing the following items:

- An indication of the Bidder's understanding of the project scope and requirements, including how each of the specific required services shall be met;
- An overview of the Company submitting the proposal, along with an overview of any sub-contractors which will be taking part in the work on behalf of the Bidder, and their legal/contractual relationship to the Bidder;
- An overview of the Bidder's experience and expertise in the areas identified in Section 2.03, as well as the expertise of any sub-contractors that will be involved as part of the Bidder's team. The Bidder shall include at least two (2) references that outline their previous or current Consulting relationships, of a similar nature as required in this RFP, with Ontario municipalities, including the reference contact name, email, and telephone number. The Municipality of Magnetawan reserves the right to contact these or any other references where appropriate. The Bidder may include additional references for specific areas/projects;
- Resume/Curriculum Vitae for the Bidder's Project Manager and any other staff proposed to be working on behalf of the Bidder in a significant role;
- Proof of qualifications (i.e., copies of professional certificates)
- A detailed financial breakdown of all relevant project costs, including a 2021/2022 fee schedule for the various services, staff hourly and per diem rates, rates or fees for expenses and attendance at meetings with Municipality of Magnetawan staff or Council, and any other relevant fees or expenses.
- A detailed outline of the payment/invoicing schedule.

Section 4 Evaluation of the Proposals

4.01 Evaluation Criteria, Process and Award

As part of the evaluation process, the Municipality of Magnetawan may contact one or more Bidders to clarify or obtain more information about their Proposal or to request the Bidder to exhibit or otherwise demonstrate the information contained therein. The purpose of these discussions will be to ensure full understanding of the requirements of the RFP and Proposal. Discussions will be limited to specific sections of the RFP identified by the evaluation committee. The Lead Contact will only hold discussions with Bidders who have submitted a proposal deemed to be reasonably acceptable for Award.

The Municipality of Magnetawan may make an Award on the basis of the Proposals received without further discussion with the Bidders. Therefore, each initial offer should contain the Bidder's best terms/information, including all required documentation as listed in this RFP.

The evaluation committee will recommend Award to Council for the Bidder achieving the most cost effective and practical design recommendation.

Section 5 Form of Proposal

I/We, the Undersigned, having examined this Request for Proposals, do hereby offer to enter into an Agreement with the Municipality of Magnetawan to act as Engineer of Record under the terms as included.

I,We _____
(Name-Print) (Position)

of _____
(Company Name)

Dated at _____ this _____ day of _____, 2019.

AUTHORIZED SIGNATURE

STREET ADDRESS

CITY PROVINCE POSTAL CODE

TELEPHONE NO. FACSIMILE NO. E-MAIL ADDRESS

Receipt of any issued addenda shall be acknowledged by initialing in the space provided below.

Last posted addendum on the website on Friday February 26, 2021 _____

Signature in the designated space, by an authorized officer of the Bidder's company affirms acceptance of the Request for Proposal requirements set forth in this document, the associated costs attributed to the business arrangement between the Bidder and the Municipality of Magnetawan, and hereby certifies that the information supplied in this proposal to be true and complete in all respects.

Company Seal