



PART I - RFP#REC 2019-01

**MUNICIPALITY OF BRIGHTON REQUEST
FOR PROPOSALS ON SKATEBOARD PARK
DESIGN WORK AT KING EDWARD PARK**

PLEASE NOTE: BID REGISTRATION

Bid registration is provided and mandatory to assist in the issuance of any addendum/ addenda (via email), should the need arise. Perspective Proponents are required to register and also, check Municipality Website site for any addendum(s) that may have been issued prior to submission of their final documents. The Municipality of Brighton is not responsible for the Proponent's failure to register for updates or addendum/addenda to the originally posted Bid; it is the Proponent's responsibility.

To Register Bid, Please Email:

Lisa Stansel, Public Works Administrative Assistant

Email: lisa@brighton.ca

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PART II - INTRODUCTION

- 1.1 The Municipality of Brighton invites responses to this request for proposal ("RFP") for conceptual, technical/engineered design services and construction of an upgraded expanded Skateboard Park located at King Edward Park in Brighton.
- 1.2 The Municipality currently has a Skateboard Park that was built in 2003. The skateboard park is approximately 100' x 80' in size and has a 6" poured concrete surface which is in very good condition.
- 1.3 Throughout the past decade there have been requests from the area's youth to expand and enhance the park and its surrounding area.
- 1.4 The Municipality would like to retain a qualified firm to provide design services to complete site analytics, public consultation, conceptual design and full engineering design of the proposed upgraded Skate Board park so that the project is "shovel ready" when construction funds are available.
- 1.5 It is the intent of the Municipality that should the project proceed to the construction phase subject to the necessary funding being secured, the successful proponent will be retained to provide construction services.
- 1.6 The proposed project must meet the safety standards for the latest skateboard design principles for skateboarders, scooters, and BMX riders to develop their skills. The design should be inclusive to all age groups and ability levels. The design of the project should draw and engage local users to the skateboard park and also challenge both beginners and experienced users.
- 1.7 The Municipality of Brighton is forecasting a project budget of no more than \$200,000.00.
Funding for the design services of this project has been secured. The amount required for the construction phase has not been fully secured at the time of this RFP's release.

PART III GENERAL PROVISIONS FOR BIDDERS

1. SITE MEETING

There will be a Non-mandatory site meeting on Wednesday, April 24th at 10 am to discuss the project, answer any questions and allow for a full viewing of the existing skateboard park and the surrounding areas to be retrofitted/created.

2. MUNICIPAL CONTACT PERSONS FOR QUESTIONS AND INFORMATION

Proponents with questions related to the detailed specification or the nature of the work required may contact only, Jim Millar **by email** to millar@brighton.ca

Any questions, requests for information, or comments on this RFP should be addressed by email no later than 4:00 pm, on Thursday, May 2nd, 2019.

The number of bids received and the names of bidders are confidential, and shall not be divulged prior to the tender opening.

Project completion date of September 30th, 2019.

3. Each proposal shall be submitted to the Municipality at the following address on or before the submission deadline stated below. All proposals received after this deadline will be returned unopened to the sender.

DATE: WEDNESDAY, MAY 8TH, 2019
TIME: 11:30 AM
LOCATION: Municipality of Brighton
Public Works and Development Office
67 Sharp Rd., Brighton, ON, K0K 1H0

CONTACT: Jim Millar, Director of Parks and Recreation
Email: millar@brighton.ca
Tel. 613-475-0302

PROPOSERS shall direct all technical questions by email to:
Email: millar@brighton.ca

PART III continued

- a) All proposals shall be in report form, typed and printed on 8 ½" x 11" paper.
- b) Each Bidder shall submit one (1) unbound original (signed) and three (3) copies of the proposal in its entirety.
- c) The original proposal must be signed by principal, partner or other duly authorized person or persons with authority to make the commitments required by this RFP.

4. TENTATIVE SCHEDULE

- a. Release of Request for Proposals Documents: April 17th, 2019
- b. Site Meeting: April 24th, 2019 at 10 A.M.
- c. Last Date for Questions: May 2nd, 2019 at 4 P.M.
- d. Closing Date: May 8th, 2019 at 11:30 A.M.
- e. Opening of Proposals: May 8th, 2019 between 11:30 AM and 12:00 PM.
- f. Award of Contract: Not before May 21st, 2019.
- g. Date of Project Completion: On or Before Sept. 30th, 2019.

PART IV – SELECTIONS AND CONTRACT AWARD PROCESS

The Municipality will select the proposal(s) which are determined to be the most qualified, having the best experience and ability to successfully perform the required tasks.

Evaluation Criteria may include, but is not limited to the following:

<u>Criteria</u>	<u>Points</u>	<u>Score</u>
a. Overall Cost	30	
b. Public Consultation during design process	25	
c. Inclusiveness of all ages and user types (Skateboarders, BMX bikers, Scooter Riders)	25	
d. Demonstrated Experience of Manufacturer	20	
	Total:	100

Part V – PROPOSAL REQUIREMENTS

1. The Proposal submission must be fully completed and in the possession of the Municipality of Brighton time stamped before the closing date and time. Proposal bids received after the closing time shall not be considered but shall be returned unopened and the supplier shall be advised that the quotation was received late.
2. The Proposal submission must be signed by a duly authorized official of the organization bidding.
3. The Proposal bid must be legible, written in ink or typewritten, and all items must be bid unless otherwise specified. Erasures, overwriting, or strikeouts must be initialled by the official signing on behalf of the organization.
4. Alternative Proposals shall be considered as requested in the bid documents.
5. Any correspondence by mail or telephone, pertaining to adjustments or corrections to a tender bid already submitted, shall not be considered. A bidder wishing to make adjustments to a bid must first withdraw the original proposal and re-submit the alternative bid in accordance with the provisions contained herein prior to the closing.
6. All Bidders submitting Proposal bids shall be advised, by the Corporation of the Municipality of Brighton (the Municipality), of all revisions, deletions, substitutions and additions of the specifications or of any extension of the closing time or of cancellation of the RFP (via an addendum). Suppliers who have submitted proposals prior to notification shall be given the opportunity to withdraw and resubmit their proposals.
7. The Bidder must assume full responsibility for delivery of the completed Proposal. The Municipality accepts no responsibility for any loss or delay with respect to proposals that are delivered to any location other than that specified.
8. Proposal bids will not be accepted if submitted by fax or email.
9. Claims for extras, on the basis that work was noted in one or more of the Contract Documents and not shown or noted in another, shall not be entertained.
10. Proposals must be submitted without any knowledge, comparison of figures or arrangement with any person making any Proposal or estimate for the same purpose. Proposals must also be submitted without collusion or fraud and that

no officer of the Municipality shall become interested, directly or indirectly, as a contracting party, partner, surety, or otherwise in or in the performance of the Contract, or in the supplies, work, business, to which it relates, or in any monies to be derived therefrom.

11. The Bidder shall give the unit price both in words and in figures, except as permitted otherwise, shall fill in all blank spaces for unit prices, item prices, Time of Completion and other information.
12. A Bidder who has already submitted a Proposal may submit a revised Proposal at any time prior to the official closing time. The last Proposal received shall supersede and invalidates all Proposals previously submitted by that Proponent.
13. Proposal bids which are imbalanced, incomplete, conditional or obscure, or which contain additions not called for, erasures, alterations, or irregularities of any kind, may be rejected as informal.

PART VI – INFORMATION FOR PROPONENTS

1. PREPARATION OF PLANS AND SPECIFICATIONS

Questions with respect of this RFP are to be directed to Jim Millar at 613-475-0302 or by e-mail at millar@brighton.ca.

2. EXAMINATION OF SITE

There is a site meeting for all interested Proponents slated for Wednesday, April 24th, 2019 at 10am at the Skateboard Park site, located at 75 Elizabeth Street, Brighton, ON K0K 1H0.

The Proponent shall visit the site of the Work and check over the attached area of this project as well as the existing skateboard Park and its Ramps and Equipment before submitting their Proposal(s), and shall make its own estimates regarding difficulties that may be encountered in carrying out their design work on this site. The Contractor shall not claim at any time after submission of their proposal that there was any misunderstanding of the terms and conditions of the Contract related to site conditions. The Municipality will work closely with the Lower Trent Conservation Authority as approval needs to be granted through a site permit to allow future work on this are since its proximity to the creek east of the site.

3. INQUIRIES

Any questions regarding this bid opportunity must be received in writing, by email, no later than May 2nd, at 4pm and must be directed to Jim Millar, Director of Parks and Recreation, Municipality of Brighton, at millar@brighton.ca. Inquiries with a response that may result in a change(s) of the interpretation of the Quote will be addressed in an addendum, a copy of which will be placed on the web site no later than **2:00 p.m. Friday, May 3rd, 2019**.

4. ADDENDA TO RFP DOCUMENTS:

All revisions, deletions, substitutions and additions to the RFP material shall be prepared in writing by Jim Millar, Director of Parks and Recreation or his designate. A copy of each addendum, including extension information, shall be

included in the submitted bid. In addition, it is desirable to give prior notice of the addendum by telephone. Each person must acknowledge receipt of the addendum by e-mail. A copy of each addendum shall also be stapled to each set of RFP documents not yet handed out.

Proponents who have submitted proposals prior to the release of an addendum shall be given the opportunity to withdraw and resubmit their Bid. When in the opinion of the Municipality it is advisable to cancel an RFP call, each person who obtained tender documents shall be mailed written notice of cancellation of the contract of the contract and all proposals received shall be returned unopened to the bidder.

5. Withdrawal Procedures:

Any person who has submitted a bid on the RFP may request that their proposal(s) be withdrawn. A withdrawal request shall be made in writing to Jim Millar, Director of Parks and Recreation, and the withdrawal shall be permitted if the request is made at a time no greater than two (2) hours prior to the closing time. Withdrawn proposal bids shall be returned unopened to the bidder. The withdrawal of the RFP bid shall not disqualify a bidder from submitting another RFP bid from the same contract. Withdrawal requests received after the RFP has closed shall not be permitted. The bidder shall be informed, during or after the opening that the withdrawal request has received subsequent to the closing time.

6. Proposal Opening and Review:

The Corporation shall review all bids packages promptly after the date and time of closing. The opening shall be public as per Municipal policy. All Proposal bids will be checked by the evaluation committee for completeness and accuracy to ensure all Bid requirements and conditions have been met. Quotes shall be submitted on the supplied Form of Quote, which shall be completed in every respect, with all blank fields filled in legibly. Quotes must be properly signed and sealed; otherwise the Quote may be rejected as informal. Sealed envelopes clearly marked with "RFP-REC #2019-01, SKATEBOARD PARK EXPANSION DESIGN AT KING EDWARD PARK."

7. OTHER CONDITIONS

The Total Bid Price shall include all Government customs duties and excise taxes applicable at the time of execution of the contract.

Prior to the execution of the contract, the Proponent shall provide its HST registration number and Safety Policy to the Municipality. If applicable, the Proponent shall also submit a list of subcontractors for the approval of the Municipality.

8. RIGHT TO ACCEPT OR REJECT PROPOSALS

The Municipality reserves the right to reject any or all Proposals or to accept a Proposal Bid should it be in the interest of the Owner to do so.

By submitting a Bid, the Proponent acknowledges that it shall have no claim against, or entitlement to damages from the Owner by reason of the Municipality's rejection of its bids or all bids.

9. ABILITY AND EXPERIENCE OF CONTRACTORS

The owner does not intend to award the contract to any Proponent who does not furnish satisfactory evidence that the Proponent has the ability and experience required in this class of work and that the Proponent has sufficient capital and plans to execute the Work successfully and to complete it in the time required by the Contract. The appropriate schedule in the Form of RFP must be completed; otherwise the quotation may, but shall not necessarily, be rejected as informal.

10. INFORMAL PROPOSALS

Proposals which are incomplete, conditional or obscure, or which contain additions not called for, erasures, alterations or irregularities of any kind, may, but shall not necessarily be rejected as informal. Unbalanced bids shall be rejected.

11. PROPOSALS LEFT OPEN

1. The Proponent shall keep its proposal bid open for acceptance for thirty (30) days after its submission, unless its proposal bid has been withdrawn in accordance with 11 (2) below.

2. Bids may be withdrawn by written notice, at any time prior to the opening of the first proposal bid.

12. DELIVERY AND OPENING OF PROPOSALS

Sealed envelopes, clearly marked only with "RFP#REC 2019-01 SKATEBOARD PARK EXPANSION DESIGN AT KING EDWARD PARK." will be received at the Public Works and Development Office, 67 Sharp Road, Brighton, Ontario, K0K 1H0, until 11:30 am local time on Wednesday, May 8th, at 2019.

13. HOLDBACKS

The Municipality of Brighton will holdback 10% of the contracted price as per the requirements and time frame that are specified in the Construction Lien Act.

14. INSURANCE

Proof of appropriate liability insurance must be given. Two (2) million dollars minimum per occurrence with the Municipality of Brighton named as a co-insured entity.

15. WORKER'S COMPENSATION BOARD

Prior to execution of the Contract Documents, the successful Contractor shall provide to the Owner a letter from the Worker's Compensation Board certifying that all assessments have been paid and that the Contractor is in good standing with the WCB.

16. AWARD AND EXECUTION OF CONTRACT

For the purposes of this Contract, the date of award of the Contract shall be deemed to be the date when the Owner has in writing notified the Proponents by e-mail, courier or fax that the Condition Precedent to Award has been satisfied.

Without limitation and to summarize the requirements of other paragraphs of the information for Proponents, the following documentation is required from the Contractor prior to or upon execution of the Contract:

- a) The Contractor's HST Registration Number
- b) The proof of insurance
- c) The Workers Compensation Board Certificate

If the successful Contractor refuses or fails to execute the Contract within ten (10) working days of the date of the award, it will be considered that the

Contractor has abandoned all rights and interests in the contract and the tender deposit of the Contractor shall be forfeited to the Owner as liquidated damages. The Owner shall, in such event, be free to award the Contract to another Contractor or to re-advertise the work.

17. PURCHASER'S RIGHT OF SELECTION

The Municipality may award the RFP on the basis of proposals received without discussion. Each proposal should, therefore, contain the Contractor's best terms and complete detailed information.

The Municipality reserves the right to accept proposals by items or as a whole, or in its discretion, reject any and all proposals and re-advertise. The Municipality reserves the right to award items to various vendors. The Municipality reserves the right to increase or decrease the estimated quantities. The Municipality reserves the right to reject any and all proposals which comply with these specifications, or to accept a higher bid which complies, provided that, in the judgement of the Municipality, the items offered under the higher bid have additional values or functions which justify the difference in price.

18. Freedom of Information Act

The Proponent hereby consents to the disclosure of the information contained in this Proposal, pursuant to **The Municipal Freedom of Information and Protection of Privacy Act**, R.S.O. 1990, C.M. 56 ("MFIPPA").

This RFP is a public document. By responding to this RFP, respondents waive any challenge to the Municipality's decisions in this regard. If any submittal contains confidential technical, financial or other types of information, the respondent must clearly label the specific portions sought to be kept confidential and specify the exemption that the respondent is relying upon. Marking all or substantially all of a response as confidential may result in the response being considered non-responsive.

Notwithstanding the foregoing, respondents recognize and agree that the Municipality will not be responsible or liable in any way for any losses that the respondent may suffer from the disclosure of information or materials to third parties.

Any decision made under MFIPPA may be appealed to the Information and Privacy Commissioner of Ontario, who may direct the release of such information.

The identity of Proponents, as well as the successful Proposal amount, may be available to the public on the Municipal website as part of the award process.

The MFIPPA Coordinator for the Municipality is the Municipal Clerk. Any questions regarding the MFIPPA may be directed to the Municipal Clerk at 613-475-0670.

19. Employees

In the performance of this Contract, the Contractor shall be an independent contractor. Neither the Contractor nor any of their employees shall be deemed to be employees of the Municipality.

20. Costs Incurred

The Municipality shall not, under any circumstances, be responsible for any costs incurred by the Proponent in the preparation of the Proposal.

21. Accept/Reject

The Municipality may accept a Proposal in whole or in part, whether the submitted price is the lowest or not, and may reject any or all Proposals.

22. Causes for Rejection

The following represent circumstances that would cause a Proposal being rejected:

- a. Proposal received late (will not be opened);
- b. Proposal received where a pre-qualification process or meeting is mandatory and has not been met by the Proponent (will not be opened);
- c. Correct version of Proposal form not used;
- d. Proposal not complete;
- e. Proposal not legible in whole or in part;
- f. Proposal not completed in ink or type;

- g. Proposal not signed;
- h. "Agreement to Terms and Conditions", when required, is not executed or included with the Proposal;
- i. Other mandatory forms or details required and clearly shown in the RFP as being required upon submission of a Proposal are omitted.

The following represent circumstances where a Proposal is questioned but may be accepted after examination or correction:

- a. Proposal containing simple arithmetic errors as determined during evaluation process;
- b. Proposal not acknowledging correct number of addenda issued.

23. Subcontractors

No subcontracting of any part of the contract shall be permitted without the authorization of the Municipality.

Where the Municipality approves subcontracting, the Contractor shall be held fully responsible to the Municipality for the acts and omissions of his subcontractors and of persons directly or indirectly employed by them, and for the acts and omissions of persons directly employed by him.

All subcontractors utilized in the performance of this Contract must be listed and a description of the work each subcontractor will perform included with the Proposal.

24. References

The Proponent shall provide completed **References** – providing a list of not less than **three (3) references for work completed within the last five years**, and that may be contacted by Municipal staff.

The Municipality reserves the right to contact any or all of the supplied references and may disqualify Proponents who have been given negative performance/service and/or quality ratings by supplied references or other references contacted.

25. Company Profile

The Proponent shall clearly identify full name, addresses, phone numbers, and fax numbers, of the Company. The Proposal should also identify the individual authorized as a signing authority to negotiate the Proposal in the event the Proponent is selected.

The Proponent shall outline their ability to meet the following competencies:

- a. Previous experience with related similar size/type projects – for design and installation;
- b. Technical/professional knowledge; and
- c. Planning and organizing ability.

26. Errors and Omissions

It is understood and agreed that this RFP includes specific requirements and specifications. The Municipality shall not be held liable for any errors or omissions in any part in this RFP.

Nothing in the RFP is intended to relieve the Proponent from forming their own opinions and considerations with respect to the matters addressed in the RFP.

There will be no consideration of any claim after submission of Proposals, that there is a misunderstanding with respect to the conditions imposed by the contract.

PART VII – FORM OF PROPOSAL

	BID	
ITEM	DESCRIPTION	PRICE
1	<p>Proposal Price for Completing a Skateboard Park Design for the Expansion of the Park at King Edward Park , Brighton, ON.</p> <p>Subtotal, excluding HST</p>	\$

Time is of the essence and may be a consideration of award. Therefore, the tendering company shall indicate in his/her tender, the anticipated delivery date of the equipment, based on Municipal Council’s awarding this Tender to the Bidder of choice.

Anticipated delivery date: _____

By submitting this tender form, the bidder acknowledges the owner’s right to accept or reject any submission at its sole discretion.

The undersigned affirms that he/she is duly authorized to execute this Bid.

BIDDERS NAME: _____

POSITION: _____

BIDDERS SIGNATURE: _____

DATED THIS _____ DAY OF _____, 2019.

PART VIII PROPONENT’S INFORMATION FORM

Proponents must complete this form and include with their submission.

Please ensure all information is legible.

1.	Company	
2.	Proponent’s Main Contact Individual.	
3.	Address	
4.	Office Phone#	
5.	Toll Free #	
6.	Cellular #	
7.	Pager#	
8.	Fax#	
9.	E-mail Address	
10.	Website	
11.	HST Account #	

ACKNOWLEDGEMENT TO RECEIPT OF ADDENDA:

This will acknowledge receipt of the following addenda and that the pricing quoted includes the provisions set out in such addendum(s)

ADDENDUM #

DATE RECEIVED

Check here if NO Addenda received.

PART IX – PROPONENT’S EXPERIENCE IN SIMILAR WORK

Please provide at Least Three Projects with References for Each that the Municipality May Contact as Part of Their Evaluation Process.

Projects and Contact Persons:

1. _____

2. _____

3. _____



