

COUNTY OF WETASKIWIN NO. 10 Municipal Policy & Procedures Manual	FUNCTION: 1000 GENERAL GOVERNMENT SERVICES
	SECTION: 1900 PURCHASING

PURCHASING/TENDERING POLICY #1907

POLICY STATEMENT

The County of Wetaskiwin No. 10 (the "County") shall endeavour to acquire goods and services in a manner which is equitable, efficient, economical, supportive of the local economy whenever feasible, and in a manner which ensures all transactions are conducted at arm's length and are free of bias. For the acquisition of goods and services which are not subject to Trade Agreements, or for which grant funding has not been provided, the County shall retain the right to include bid rating criteria based on local preference which will support the economy of those businesses located within the County. The acquisition of all goods and services shall be accomplished through the purchasing processes as described below, subject always to the right of Council at its discretion, acting through resolution or by-law, to deviate in any given case from these processes.

Subject to Executive Limitations Policy #1905, Council will be deemed to have authorized Administration to proceed with all necessary authority to award any contract, upon approval by Council of the interim and final budgets, or in the alternative, through resolution at a regularly scheduled Council Meeting, provided costs for the good or service do not exceed the amount authorized. In the event the lowest tender or bid exceeds the approved budget, or in the event Administration recommends awarding the contract or purchase to a supplier whose bid exceeds the authorized amount, the award of the tender, request for proposal or bid shall be returned to Council for final ratification.

PROCEDURES

A. Definitions:

1. **Administration:** Person or persons employed with the County in a managerial or senior level capacity, or their designates.

REVISION DATE:	ORIGINAL COUNCIL APPROVAL DATE:	REF. PAGE NO.	NUMBER:
June 8, 2000; May 7/02 (Ref. Page 2002/34 PW)	June 17, 1997	97/226 C	Page 1 of 20

PURCHASING/TENDERING POLICY #1907

2. **Bid:** Signed document usually sealed until a designated time and which contains a tender, quote or proposal.
3. **Bidder:** The person or company submitting the tender, quote or proposal.
4. **Bid Security:** A bond or other security, including certified cheques, to be submitted with the tender in an amount equal to a predetermined percentage of the total bid less GST (for example 5% or 10%). In the event the supplier is awarded the tender and does not comply with the terms and conditions set out for bid acceptance, or refuses to honour the bid or tender, the bid security becomes forfeit to the County. Bid Securities are primarily used in service contracts and will be held until the successful bidder executes the contract. Dependant upon the type of security provided, Bid Securities may be returned once the contract has been successfully awarded.
5. **Delegated Purchasing Authority:** A person or persons acting in good faith and on behalf of Council and the County of Wetaskiwin for the procurement of goods and services as required and as approved through the budget process and pursuant to this Policy #1907.
6. **Labour and Materials Payment Security:** A bond or security put forward by the successful bidder at either the time of tendering or at the award of the tender, for a predetermined percentage of the bid (up to 50%) to be held until all work is completed to the satisfaction of the County or its delegate. Labour and Materials Payment Securities are used solely for construction or service contracts and are forfeit in the event the contractor defaults on payments to employees or suppliers. In lieu of a Performance Security, the County may accept a certified cheque or Irrevocable Letter of Credit for an amount to be determined for each applicable project, but no less than 15% and up to 50% of the total contract price.
7. **Local Supplier:** A supplier of goods or services maintaining a place of business within the municipal boundaries of the County, excluding all towns, summer villages and other separate jurisdictions.
8. **Performance Security:** A bond or security put forward by the successful bidder at either the time of tendering or at the award of the tender, for a predetermined percentage of the bid (up to 50%) to be held until all work is completed to the satisfaction of the County or its delegate. Performance securities are used solely for service or construction contracts and are forfeit in the event the contractor does not meet the terms and conditions as set out in the contract with regard to the scope of work. In lieu of a Performance Security, the County may accept a

REVISION DATE:	ORIGINAL COUNCIL APPROVAL DATE:	REF. PAGE NO.	NUMBER:
June 8, 2000; May 7/02 (Ref. Page 2002/34 PW)	June 17, 1997	97/226 C	Page 2 of 20

PURCHASING/TENDERING POLICY #1907

certified cheque or Irrevocable Letter of Credit for an amount to be determined for each applicable project, but no less than 15% and up to 50% of the total contract price.

9. **Public Opening:** Members of the general public are invited to attend all tender openings and notice of the date and time of the opening shall be included in the tender documents or publications. Any such opening or the results of any such tender opening are made available on the understanding that the information provided is unofficial and attendants or recipients shall be advised that results are **unofficial**. Results are as recorded at that meeting and are in no way to be construed as official or indicative of the successful bidder. Bidders will be advised of the formal results after a complete review has been undertaken and all necessary approvals to award have been obtained.
10. **Quote:** An informal price obtained from one or more suppliers for the purpose of acquiring a good or service. Quotes may be verbal or, if in writing, may be submitted by facsimile, e-mail, regular mail or hand delivered.
11. **Request for Proposal:** Similar to a formal Tender, the Request for Proposal, either by invitation or public notice, invites suppliers to submit proposals for a specified good or service. The intention is that the legal effect of a Request for Proposals amounts to an Invitation to Tender. This format is used when criteria or specifications between different manufacturers of a similar product are too varied to be accurately specified on a formal tender as it would provide an unfair advantage to one supplier or it would limit the County's options for award of the purchase that is deemed to be most beneficial to the County. It may also be used when a supplier's/manufacture's expertise is required to provide innovative or creative means of achieving a desired result or specific component groupings to meet the intended use of the product supplied or when the County is unable to define quantifiable specifications and allows all bidders to then bid equally. Proposals are not subject to a public opening, however the results of the proposal may be released to the public.
12. **Sole Source:** The act of awarding the purchase of a good or service to a sole supplier without seeking bids or quotes from other suppliers.
13. **Specifications:** A list of minimum qualities or criteria, or a detailed description of work for which a bidder or supplier submits a tender.
14. **Tender:** The act of soliciting formal prices from one or more suppliers for the purpose of acquiring a good or service meeting a pre-defined criteria. Tenders are solicited by public advertising or by invitation and are normally submitted in writing in sealed envelopes.

REVISION DATE:	ORIGINAL COUNCIL APPROVAL DATE:	REF. PAGE NO.	NUMBER:
June 8, 2000; May 7/02 (Ref. Page 2002/34 PW)	June 17, 1997	97/226 C	Page 3 of 20

PURCHASING/TENDERING POLICY #1907

B. Purchasing Categories

The estimated cost of required goods or services, availability of suppliers and sources of funding shall determine purchasing procedures. *For all purchases funded in whole or in part through Provincial, Federal or other government grant, the lowest tendered price meeting all specified criteria shall be awarded the tender. It is therefore critical that such purchases have clear specifications designed to ensure the County's needs are fully met.*

1) Goods or Services less than \$1,000.00 -

If the good or service may be obtained locally and meets the specifications as determined by the County, at a price that is competitive, Administration shall make every effort to obtain the good or service locally. Should there be two or more local suppliers of the good or service, it is advised that every effort be made to provide all suppliers with an opportunity to provide a quote, either verbally or in writing. Should the good or service not be available locally, or be available at a lower cost than could be obtained within the local area, Administration shall then expand the purchasing area such that the good or service can be obtained at the best overall price possible. When determining the most economic alternative, the cost of maintenance, delivery, customer service, re-sale value and the quality of past performance shall also be considered when choosing a supplier. All written or verbal quotes shall be obtained in a manner consistent with the procedures as described in Section C. 1): *Written or Verbal Quotes*, and it is recommended all verbal bids are confirmed in writing. For those suppliers who provide a line of credit to the County and who offer an expedient service combined with cost savings or other advantage, the County may sole source a good or service under \$1,000.00, provided that in the County's opinion, bias or other unfair advantage has not been granted to the sole source supplier.

2) Goods or Services greater than \$1,000.00 but less than \$20,000.00

The County shall endeavor to obtain a minimum of three quotes or bids from local or out of area suppliers, either by telephone or verbal quote or by written Invitation or Tender. The County may consider the urgency of the purchase or the number of possible suppliers when deciding which method to utilize. In the event a verbal quote or tender is provided, the supplier shall provide written confirmation upon request. Local suppliers may be provided with a five (5%) percent bid preference over out-of-area suppliers, however the cost of maintenance, delivery, customer service and the quality of past performance shall also be considered at the discretion of Administration when choosing a supplier. These

REVISION DATE:	ORIGINAL COUNCIL APPROVAL DATE:	REF. PAGE NO.	NUMBER:
June 8, 2000; May 7/02 (Ref. Page 2002/34 PW)	June 17, 1997	97/226 C	Page 4 of 20

PURCHASING/TENDERING POLICY #1907

criteria may take precedence over low bid or low local bid if deemed advisable by Administration in order to obtain what, in the opinion of Administration, represents the most effective and efficient alternative.

Should Administration deem it to be in the best interests of the County, goods or services greater than \$1,000.00 but less than \$20,000.00 may be tendered pursuant to Section B.4 of this policy.

3) Purchase of Used Goods less than \$100,000

The purchase of used goods refers primarily to used equipment, and these purchases shall be exempt from many of the standard tendering procedures. The two-week waiting period as described in Section C.2 and C.3 may be waived as used equipment is sold quickly and the County may lose an opportunity to acquire the best unit at the best price if immediate action is not taken. Suppliers and public will not hold equipment for the period of time required to carry out a formal bidding process if there is no guarantee they will sell the unit.

A list of minimum specifications based on the expected performance of the equipment shall be identified prior to commencement of the purchase procedure. Should a unit come onto the market that meets the predetermined specifications, falls within the approved budget allotment, and is, in the opinion of Administration, a favourable or advantageous acquisition, Administration shall have the authority to make an offer to purchase the unit without seeking competitive bids. This shall permit Administration the opportunity to acquire used equipment through public equipment auctions, provided the equipment has been inspected by a County mechanic prior to bidding.

When inspecting a used piece of equipment, Administration, acting in its sole discretion, shall take into account the expected usage for the equipment, current condition, future maintenance requirements, any available or extended warranty, mileage or hours, the current market and previous owner (to determine maintenance history). Administration shall ensure that all purchases of used equipment will provide the best value in terms of price and condition. All purchases shall be contingent upon final approval of the Chief Administrative Officer of the County.

4) Goods or Services greater than \$20,000.00 but less than \$100,000.00 and Construction tenders greater than \$20,000.00 but less than \$250,000.00.

REVISION DATE:	ORIGINAL COUNCIL APPROVAL DATE:	REF. PAGE NO.	NUMBER:
June 8, 2000; May 7/02 (Ref. Page 2002/34 PW)	June 17, 1997	97/226 C	Page 5 of 20

PURCHASING/TENDERING POLICY #1907

Acquisition of goods or services greater than \$20,000.00 but less than \$100,000.00 and Construction tenders greater than \$20,000.00 but less than \$250,000.00 shall be obtained through the formal tender process or through Requests for Proposals. Public notice shall be provided in local or other appropriate publications or, should there be, in the County's opinion, a limited number of qualified suppliers, private invitations to bid may be distributed. The invitation or notice shall include:

- i) a clear description of the required good or service including minimum specifications required,
- ii) the name, department and location for receipt of tenders, including date and time of closing and public opening, (note: public opening not required for Requests for Proposals)
- iii) instructions for submission of tender including sealed envelope, proper markings, breakdown of cost to show all unit prices and taxes and if bid changes may be received by facsimile,
- iv) clear direction on the method used to rate the bid, including price, delivery date, trade-in value if applicable and other criteria as determined by the responsible manager or department head,
- v) notice that local bids or tenders within 5% of the lowest non-local bid may be awarded the tender, (note, if grant funding has been provided for the purchase, rating criteria shall be based solely on low bid)
- vi) the need for and amount of bid securities, performance securities or labour and materials securities.
- vii) disclaimer notice that the lowest or any bid may not necessarily be accepted, as set out below:

“TENDER EVALUATION CRITERIA

The County reserves the right to accept or reject any and all Tenders and to waive irregularities and informalities at its discretion. The County reserves the right to accept a Tender other than the lowest Tender without stating reasons. By the act of submitting its Tender, the Tenderer waives any right to contest in any legal proceedings or action the right of the County to award the Tender to any Tenderer in its sole and unfettered discretion. Without limiting the generality of the foregoing, the County may consider any other factor besides price and capability to perform the work that it deems in its sole discretion to be relevant to its decision including, but not limited to the following:

REVISION DATE:	ORIGINAL COUNCIL APPROVAL DATE:	REF. PAGE NO.	NUMBER:
June 8, 2000; May 7/02 (Ref. Page 2002/34 PW)	June 17, 1997	97/226 C	Page 6 of 20

PURCHASING/TENDERING POLICY #1907

Experience;
 Reputation;
 Safety considerations;
 Financial solvency;
 Cost of maintenance;
 Terms of delivery;
 Customer service;
 Quality of past performance; and
 5% preference to local suppliers
 (List any additional criteria).

- viii) any requirements for a bid deposit or bid security, performance security and holdback, and the procedures governing same;
- ix) The opening of all tenders shall be made public and the results of the opening shall be recorded. The opening of all Requests for Proposals may be public or may be closed, at the delegated purchasing authority's discretion.
- x) A copy of this Purchasing/Tendering Policy #1907 shall be included with all tender documents or Requests for Proposals

5) Goods or Services greater than \$100,000.00 and Construction Tenders in excess of \$250,000.00 (Agreement on Internal Trade)

Goods or Services greater than \$100,000.00 and construction tenders in excess of \$250,000.00 shall be purchased in accordance with the Agreement on Internal Trade and subsequent Annexes, ratified on July 18, 1994, to ensure trade barriers within Canada are eliminated and free trade rights exist across Canada. Further, every effort shall be made to ensure the tender does not discriminate between suppliers, or goods or services, on the basis of geographic location in Canada.

- i) All tenders meeting the above specifications shall include the following information in the tender notice:
 - (a) A brief description of the good or service;
 - (b) The location where further information and tender documents can be obtained;
 - (c) The conditions for obtained tender documents
 - (d) The location for delivery of the completed tender;

REVISION DATE:	ORIGINAL COUNCIL APPROVAL DATE:	REF. PAGE NO.	NUMBER:
June 8, 2000; May 7/02 (Ref. Page 2002/34 PW)	June 17, 1997	97/226 C	Page 7 of 20

PURCHASING/TENDERING POLICY #1907

- (e) The closing date and time of the tender;
 - (f) The date and time for the public opening of the tender;
 - (g) The standard disclaimer notice as described in Section B. 4) vii)
 - (h) A statement that the procurement is subject to the Annex or Agreement on Internal Trade.
- ii) The bid document shall clearly identify the requirements of the procurement or service, the criteria used in evaluating the bids and methods or weighting and evaluating the criteria.
- iii) All bids meeting the above criteria shall be posted on an electronic tendering system approved under the Agreement for Internal Trade.

C. Purchasing Methods

1) Written or Verbal Quotes

- i) Generally, the most expedient means for acquiring low-value items (or emergency requirements) in a relatively short period of time. There is no minimum waiting period from the initial contact with the supplier to the close of the bids. One should, however, take care to specify to the bidders that you are seeking competitive quotations. Thoroughly describe the item or service desired, the quantity, and the time frame in which delivery is expected to be made. This information should be entered on a prepared bid form to ensure that the same information is given to all bidders. See Section E, "Verbal Bid Form"
- ii) The prepared bid form should contain the following information:
- (a) The name of the firm quoting the price.
 - (b) The name of the person quoting the price.
 - (c) The manufacturer and model of item (or items) offered.
 - (d) The unit price.
 - (e) The payment terms (prompt payment discounts), 2%, 5%, 10 days, etc.
 - (f) The promised delivery date and location for delivery (i.e. F.O.B. the County yard).
 - (g) The time and date of the communication.
 - (h) The name of the County person involved in the communication.
- iii) A minimum of three (3) bids should be obtained where possible.

REVISION DATE:	ORIGINAL COUNCIL APPROVAL DATE:	REF. PAGE NO.	NUMBER:
June 8, 2000; May 7/02 (Ref. Page 2002/34 PW)	June 17, 1997	97/226 C	Page 8 of 20

PURCHASING/TENDERING POLICY #1907

- iv) The bid form should be filed or attached to the requisition for future reference, should questions arise.
- v) Verbal bids are more subject to error, misinterpretation and dispute.
- vi) To alleviate possible problems, request vendors confirm the bid in writing. Unless confirmation is received in writing, telephone or verbal bids have limited legal enforcement of the contract.

2) Written Invitation to Tender

To be used only when the known field of competition is limited. It is recommended that a period of at least two weeks is provided between the date of receipt of tender and the closing date for the tender. In using this type of purchase process the following requirements should be observed.

- i) Letters should be complete regarding specifications and stipulations.
- ii) Tenders should be received from three (3) or more competitors where possible.
- iii) A closing date and time must be specified for the closing of the tender and public will be invited to the opening, usually held immediately following the closing.
- iv) Tenders will be delivered in sealed envelopes addressed to the appropriate County personnel, and clearly labelled as a tender with the bidder's name on the outside of the envelope.
- v) As grant funding is conditional upon award of the tender to the lowest bidder, all tenders for which grant funding has been provided will be rated on lowest price only. If grant funding is not accessed to purchase the good or service, other rating criteria may be specified. In this event bidders will be apprised of the criteria and the right of the County to award the tender based on criteria other than price.
- vi) Bid Securities, Performance Securities and Labour and Materials Securities may be requested, in the form of a bond, security, certified cheque or irrevocable letter of credit.

3) Public Tenders

To be used for formal tenders when the number of available suppliers is not known or there are in excess of ten (10) known suppliers and the good or service is of sufficient value to warrant a formal tender (please refer to Section C *Purchasing Options*). Public Notice of the tender is advertised in appropriate local publications, which may include the Wetaskiwin Times Advertiser, Western Review (Drayton Valley), Winfield Local Advisor, Millet Pipestone Flyer, Construction Alberta News, Edmonton Journal and Edmonton Sun. It is recommended that a period of at least two weeks is provided between the date of notice of tender and the closing date for the tender.

REVISION DATE:	ORIGINAL COUNCIL APPROVAL DATE:	REF. PAGE NO.	NUMBER:
June 8, 2000; May 7/02 (Ref. Page 2002/34 PW)	June 17, 1997	97/226 C	Page 9 of 20

PURCHASING/TENDERING POLICY #1907

The Public Notice shall include, as a minimum, the following, and may include additional specifications as described in Section D *General Tender Requirements, Stipulations and Recommendations*:

- i) A brief description of the good or service;
- ii) The location where further information and tender documents can be obtained;
- iii) The conditions for obtaining tender documents
- iv) The location for delivery of the completed tender;
- v) The closing date and time of the tender;
- vi) The date and time for the public opening of the tender;
- vii) The standard disclaimer notice as described in Section 3) B) vii)
- viii) The contact person and telephone number.

Tender documents shall include, as a minimum:

- i) Instructions to bidders setting out the need for a bid security and/or performance security and/or labour and materials security conditions for forfeit or return of the security(s)
- ii) Complete description of the good or service, including specifications and standards
- iii) If warranted, a sample of the service or construction contract
- iv) Start up and completion dates of the work
- v) Appropriate sketches, maps, design drawings as required
- vi) Occupancy and liquidated damages if required
- vii) Workers' Compensation and insurance requirements

4) Requests for Proposals

Similar to a formal Tender, the Request for Proposal, either by invitation or public notice, invites suppliers to submit proposals for a specified good or service. A Request for Proposal shall include a general description of the good or service required, including final objectives, time frames, available resources and any other relevant information Administration may deem necessary. There is no defined listing of specifications, however, that may be used to rate each proposal and each proposal is rated on its own merit in terms of providing the overall best service for the County.

This format is used when criteria is too varied to be accurately specified on a formal tender as it would provide an unfair advantage to one supplier or it would limit the County's options for award of the purchase that is deemed to be most beneficial to the County. It may also be used when the County is unable to define quantifiable specifications and allows all bidders to then bid equally.

REVISION DATE:	ORIGINAL COUNCIL APPROVAL DATE:	REF. PAGE NO.	NUMBER:
June 8, 2000; May 7/02 (Ref. Page 2002/34 PW)	June 17, 1997	97/226 C	Page 10 of 20

PURCHASING/TENDERING POLICY #1907

Proposals are not subject to a public opening, however the results of the proposal may be released to the public.

5) Sole Sourcing

Notwithstanding the foregoing, Administration may opt to sole source a contract to a supplier based on the following:

- i) Technological Continuity: When technology has been created or updated specifically for the County and is not available from another supplier.
- ii) Ongoing Service Contracts: When it is most cost effective to continue to acquire legal, accounting, management, engineering or other consulting services from a single source to avoid expensive learning curves or duplication of work, or to avoid costly errors due to miscommunication or misinterpretation resulting from a lack of historical information or background.

D. General Tender Requirements, Stipulations and Recommendations

1) Receipt of Tenders

- i) On receipt, tenders are not opened, but are time and date-stamped on arrival at the office.
- ii) Tenders received after time of closing will not be opened and are to be returned unopened to the bidder, if possible.
- iii) Telegram, facsimile, and telephone bids shall not be considered, however bid amendments may be accepted in writing or by facsimile up until ½ before closing. It is the responsibility of the bidder to confirm the amendments have been received.
- iv) Tenders shall not be returned to a bidder before close of tender unless approved by Administration or its delegated authority and a receipt is issued by the bidder for the unopened tender.

2) Opening Tenders

REVISION DATE:	ORIGINAL COUNCIL APPROVAL DATE:	REF. PAGE NO.	NUMBER:
June 8, 2000; May 7/02 (Ref. Page 2002/34 PW)	June 17, 1997	97/226 C	Page 11 of 20

PURCHASING/TENDERING POLICY #1907

- i) All tenders should be opened in the County Administration Office unless directed otherwise by the Delegated Purchasing Authority.
- ii) After the closing time for receipt of tenders, all tenders received will be publicly opened by the Delegated Purchasing Authority, or designate, together with one other employee and tender prices will be called out to parties attending.

3) Period of Acceptance and Tendered Prices

- i) Tenders will be accepted or rejected by the County within thirty five (35) days of the closing date of the tender, and all prices submitted are to remain firm during this period and thereafter upon acceptance of the tender. The successful bidder may make no variation of any tendered price.
- ii) In the case of error in extension, unit prices tendered will apply, or if numerical and written prices differ, the written price shall take precedence.

4) Awarding of Tenders

- i) Processing and Awarding of Formal Supply Tenders
 - a) Following the close and public opening of tenders, all bids received are to be checked for conformity to bidding requirements, accuracy of extensions and additions, as well as any obvious deviations from specifications, etc. Where errors in extensions occur, unit prices will prevail.
 - b) Tenders received are to be listed on a Summary Sheet showing the names of firms bidding and prices offered by them.
 - c) The Delegated Purchasing Authority will evaluate and make a recommendation of award for each item on a tender.
 - d) Where applicable, tenders and the Tender Summary Sheet are forwarded to the initiating department for review of the recommendations for award. In the case of supply tenders covering materials such as inventoried stock items, as used by various departments, the evaluation and award processing generally do not involve forwarding bids to departments. In these instances, all evaluations and recommendations are to be carried out by the

REVISION DATE:	ORIGINAL COUNCIL APPROVAL DATE:	REF. PAGE NO.	NUMBER:
June 8, 2000; May 7/02 (Ref. Page 2002/34 PW)	June 17, 1997	97/226 C	Page 12 of 20

PURCHASING/TENDERING POLICY #1907

delegated purchasing authority after consultation with affected departments.

5) Advising Bidders of Awards

- i) The successful tenderer(s) are notified of the award in writing.
- ii) The unsuccessful bidders are advised of the award in writing.
- iii) No tender has been validly accepted until and unless the successful tender(s) has/have been notified in writing.

6) Tender Amendments by Bidder

- i) Administration shall predetermine if and how tender amendments shall be accepted on bids. For Service or Construction Contracts amendments are traditionally permitted and are accepted up until ½ hour before closing, by courier, regular mail or facsimile.
- ii) The County accepts no responsibility for faxed, courier or mailed amendments. It is the bidder's responsibility to confirm receipt of any amendments.

7) Tender Specifications

- i) Specifications should be designed to ensure that, when the tender is awarded to the lowest bidder, the good or service fully meets the need of the County. Specifications that are too specific may result in the following:
 - (a) Elimination of competitive bids and the possibility of legal action from non-successful bidders
 - (b) Higher bid prices.
 - (c) Single source suppliers.
- ii) Specifications that are too vague or general may result in:
 - (a) Difficulty in identifying the optimum bid or tender and the possibility of legal action from non-successful bidders
 - (b) Higher servicing costs for the goods due to the varying or incompatible number of models purchased.

8) Delivery or Completion Date

REVISION DATE:	ORIGINAL COUNCIL APPROVAL DATE:	REF. PAGE NO.	NUMBER:
June 8, 2000; May 7/02 (Ref. Page 2002/34 PW)	June 17, 1997	97/226 C	Page 13 of 20

PURCHASING/TENDERING POLICY #1907

- i) The delivery date or Completion Date for Construction or Service Contracts should be indicated, as well as actions taken should the supplier not meet the deadlines.
- ii) Indicate whether shipment is to F.O.B. (Free on Board) the suppliers or a location within the County. If applicable use the term F.O.B. off-loaded which means the vendor is responsible for the actual unloading operation at time of delivery. This includes all required labour, equipment, etc.

9) Federal Taxes

- i) The tender form should indicate if G.S.T. is exempt or included.

10) Quantity – Estimated vs. Specific:

- i) The tender should state whether quantities are firm or estimated.
- ii) Estimated quantities must be based on realistic educated figures and the bid should then be evaluated on unit price.

11) Warranties

- i) Tenders should include a description of warranties offered for the goods or services purchased.

12) Approvals

- i) Tenders should state that all electrical, electronic and gas-fire equipment must bear the required approval markings. This shall be C.S.A. (Canadian Standards Association) approved for electrical or electronic equipment. Gas-fired equipment must be C.G.A. (Canadian Gas Association) or C.S.A. approved. The vendor will be responsible for any expense incurred to obtain such approval. It is the responsibility of the vendor to obtain these required approvals.

13) Worker's Compensation

- i) Tendering documents for services will address the importance of holding a Workers' Compensation Board Account in good standing. The successful bidder shall provide its

REVISION DATE:	ORIGINAL COUNCIL APPROVAL DATE:	REF. PAGE NO.	NUMBER:
June 8, 2000; May 7/02 (Ref. Page 2002/34 PW)	June 17, 1997	97/226 C	Page 14 of 20

PURCHASING/TENDERING POLICY #1907

WCB Account number and a statement from WCB certifying the account is in good standing upon signing of the contract.

- ii) The Contractor will submit a Certificate of Good Standing with the Workers' Compensation Board indicating that all fees and contributions have been paid before the final payment or holdback is released by the County.

14) Contractor's Liability Insurance

- i) The successful bidder shall, at his own expense, provide the following insurance:
 - (a) Insurance against loss or damage to the equipment of the Contractor of sufficient amount and type to cover any and all equipment used pursuant to this Agreement;
 - (b) Comprehensive General Liability Insurance of such type and under such terms as are satisfactory to the County in an amount of not less than Two Million Dollars (\$2,000,000.00) per occurrence throughout the life of the Agreement, insuring against bodily injury, personal injury and property damage including loss of use thereof.
 - (c) The County shall be named in the Policy with 30 day notification of cancellation of policy to the County;

15) Bid Securities:

- i) Bid Securities may be required as a lump sum or a percentage of the price bid by a supplier for a Service or Construction Contract
- ii) Bid Securities ensure the bidder will not withdraw the bid within the period specified for acceptance, will execute a written contract, and furnish all securities, insurance certification, etc., as required in the tender form
- iii) The terms for the forfeit or return of the securities are to be specified within the tender documents.
- iv) Bid Securities may be in the form of bonds, sureties, irrevocable letters of credit or certified cheques.

16) Performance Security:

- i) When warranted in major construction or service tenders, the successful tenderer(s) may be required to provide a Performance Security for up to 50% of the tendered price.
- ii) The Performance Security shall be in place until the contract is deemed complete, including the expiration of holding periods and release of hold backs, and the project

REVISION DATE:	ORIGINAL COUNCIL APPROVAL DATE:	REF. PAGE NO.	NUMBER:
June 8, 2000; May 7/02 (Ref. Page 2002/34 PW)	June 17, 1997	97/226 C	Page 15 of 20

PURCHASING/TENDERING POLICY #1907

has been signed off as satisfactorily completed by Administration or the consulting engineer.

- iii) In lieu of a Performance Security, the County may accept a certified cheque or Irrevocable Letter of Credit for an amount to be determined for each applicable project, but no less than 15% and up to 50% of the total contract price.

17) Labor and Materials Securities:

- i) When warranted in major construction or service tenders, the successful tenderer(s) may be required to provide a Labor and Materials Bond up to 50% of the tendered price.
- ii) The Labor and Materials Bond shall be in place until the contract is deemed complete, including the expiration of holding periods and release of hold backs, and the project has been signed off as satisfactorily completed by Administration or the consulting engineer.
- iii) In lieu of a Labor and Materials Security, the County may accept a certified cheque or Irrevocable Letter of Credit for an amount to be determined for each applicable project, but no less than 15% and up to 50% of the total contract price.

18) Payment

- i) Terms of payment must be specified in the tender contract documents and are subject to the discretion of Administration. All payments shall only be made upon receipt of a written invoice, duly authorized by the Delegated Purchasing Authority within the County. Progress payments shall be permitted, but terms and conditions shall be clearly defined within the tender or contract documents. The terms of the Builders' Lien Act will be adhered to. Administration may also elect to pay upon satisfactory completion of the work or delivery of the goods. Final payment or release of holdback shall be subject to receipt of a Statutory Declaration as attached, a Land Titles search, if applicable, showing no liens have been filed and a Clearance from the Workers' Compensation Board and shall be available no sooner than 45 days from the date of the completion of work.

REVISION DATE:	ORIGINAL COUNCIL APPROVAL DATE:	REF. PAGE NO.	NUMBER:
June 8, 2000; May 7/02 (Ref. Page 2002/34 PW)	June 17, 1997	97/226 C	Page 16 of 20

PURCHASING/TENDERING POLICY #1907

E) Sample Forms

INVITATION TO TENDER

Sealed Tenders addressed to the undersigned will be received up to _____ a.m./p.m. Local Time on _____ Day, _____, 20____, for the following work:

(Insert Description of Work)

Tenders received will be sealed and clearly marked “_____”. Tender Forms, Specifications, and Location Maps may be obtained at the County Office located on the south side of Highway 13, approximately one mile west of the Junction of Highways 13 & 2A in Wetaskiwin. A Deposit of \$_____ Dollars payable to the County will be required for each copy.

Each Bid must be accompanied by a certified cheque or Bid Bond equal to 10% of the total tender. Tenders will be opened in Public at _____ a.m./p.m., _____, 20____, at the County Administration Building. The lowest or any tender not necessarily accepted. The work is to be completed by _____, 20____.

Name, Director (Department)
County of Wetaskiwin, Box 6960
Wetaskiwin, AB T9A 2G5
Phone: (780) 352-3321

The County reserves the right to accept or reject any and all Tenders and to waive irregularities and informalities at its discretion. The County reserves the right to accept a Tender other than the lowest Tender without stating reasons. By the act of submitting its Tender, the Tenderer waives any right to contest in any legal proceedings or action the right of the County to award the Work to any Tenderer in its sole and unfettered discretion. Without limiting the generality of the foregoing, the County may consider any other factor besides price and capability to perform the Work that it deems in its sole discretion to be relevant to its decision including, but not limited to the following:

- Experience;
- Reputation;
- Safety considerations;
- Financial solvency;
- Cost of maintenance;
- Terms of delivery;
- Customer service;
- Quality of past performance; and
- 5% preference to local suppliers

(List any additional criteria).

REVISION DATE:	ORIGINAL COUNCIL APPROVAL DATE:	REF. PAGE NO.	NUMBER:
June 8, 2000; May 7/02 (Ref. Page 2002/34 PW)	June 17, 1997	97/226 C	Page 17 of 20

PURCHASING/TENDERING POLICY #1907

STATUTORY DECLARATION

TO BE MADE BY THE CONTRACTOR WHEN APPLYING FOR RELEASE
OF HOLDBACK, SECURITY DEPOSIT OR BOTH UPON
SUBSTANTIAL/TOTAL PERFORMANCE

IN THE MATTER OF THE CONTRACT
Between the **County of Wetaskiwin No. 10**
(the "County")

and _____ (the "Contractor")
for **Description of Work**

I, _____, of the _____ of _____, in the Province
of Alberta, DO SOLEMNLY DECLARE:

1. THAT I am the _____ (see Note #1) of the Contractor, and as such have personal knowledge of the facts hereunder declared;
2. THAT all accounts for labor, subcontracts, products, construction machinery and equipment and other indebtedness which may have been incurred by the contractor in the performance of the Work (see Note #2) and for which the Owner might in any way be held responsible have been paid in full except holdback monies properly retained.
3. THAT I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as made under oath by virtue of the *Canada Evidence Act*.

DECLARED before me at the _____)
Of _____, in the Province of)
Alberta, this _ day of _____)
20___.)
_____)
_____)
_____)
_____)

A Commissioner for Oaths
In and for the Province of Alberta

Note 1: The Declaration must be made by the President, a Vice-President, the Secretary, the Treasurer, or a Director of an incorporated company except that another individual may make the Declaration provided that two copies of the by-law issued under the Corporation seal authorizing such individual to execute documents accompanies the first Declaration on each Contract. For a

REVISION DATE:	ORIGINAL COUNCIL APPROVAL DATE:	REF. PAGE NO.	NUMBER:
June 8, 2000; May 7/02 (Ref. Page 2002/34 PW)	June 17, 1997	97/226 C	Page 18 of 20

PURCHASING/TENDERING POLICY #1907

partnership, the Declaration must be made by one of the partners and for a sole proprietorship the sole proprietor himself must make the Declaration. The position of the declarant and the name of the contractor must be clearly noted.

Note 2: Other indebtedness shall mean only such debts incurred by the Contractor to persons in privity of contract with him, debts arising out of statutory requirements, and in the case of the Contractor's workers any debt arising out of collective bargaining agreements, legislation applying to workers' compensation, unemployment insurance, and minimum wage standards where applicable.

REVISION DATE:	ORIGINAL COUNCIL APPROVAL DATE:	REF. PAGE NO.	NUMBER:
June 8, 2000; May 7/02 (Ref. Page 2002/34 PW)	June 17, 1997	97/226 C	Page 19 of 20

PURCHASING/TENDERING POLICY #1907

VERBAL BID FORM

GOOD OR SERVICE: _____

	Bidder 1	Bidder 2	Bidder 3
Company Name:			
Company Contact:			
Company Phone Number:			
Manufacturer or Model Number:			
Unit Price			
Payment Terms			
Delivery Date			
Date and Time of Call			
County Representative			

Verbal Tender Awarded to: _____

Purchase or Unit Price: _____

Purchase Order Number: _____

Authorized By: _____

REVISION DATE:	ORIGINAL COUNCIL APPROVAL DATE:	REF. PAGE NO.	NUMBER:
June 8, 2000; May 7/02 (Ref. Page 2002/34 PW)	June 17, 1997	97/226 C	Page 20 of 20