

2022 Hybrid 4 WD Long Box Truck

Closing Date: March 15, 2022 2:00 PM Atlantic

TERMS AND CONDITIONS

REQUEST FOR QUOTATION (RFQ)

The Town of St. Stephen is inviting proposals from qualified proponents to provide a new 2022 Hybrid 4 WD Long Box Truck that meets or exceeds the specifications attached to this tender.

Refer to Section 5 – Bid Signing and Section 12 - Award of Request For Quotation and Payment Conditions and Terms of this tender regarding requirements for proper signing of proposal documents and submission requirements to support proposal (legal) name, and if applicable operating name and invoicing requirements.

Two copies of the Bidders Proposal (Original and one unbound copy) shall be submitted including (on forms supplied by the Town of St. Stephen) the Checklist, Request For Quotation Form – Proposal Price And Signing and any Addenda.

REQUEST FOR QUOTATION SUBMISSIONS

Request For Quotations shall be in a sealed envelope as noted in Section 2 (iv) and addressed to:

Mr. Jeff Renaud, CAO The Town of St. Stephen 22 Budd Ave., St. Stephen, NB E3L 1E9

Bidders shall be solely responsible for the delivery of their bids in the manner and time prescribed.

Questions regarding this tender shall be <u>directed to the representative</u> for the Town of St. Stephen as described, and in the manner indicated, in Section 8 - Questions regarding RFQ and Addenda (Inquiries).

All Proposals shall either be mailed, couriered, or delivered personally to the Town Hall (address above) whereupon they will be dated and time stamped. It is the responsibility of the Proponent to ensure that proposals are in the possession of the Chief Administrative Officer or delegated staff member on or before the latest date and time (official closing) stated in the proposal documents. A proposal shall be deemed to have been received when the envelope has been stamped with the time and date of receipt. Proposals received after time and date specified shall be rejected.

Proposals will not be accepted by Facsimile or by Email.

This tender document, excluding addenda, is comprised of 31 Pages.



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1) Terminology

- 1. **ACCEPTED BID/BIDDER**: Means any bid/bidder that meets the conditions of the tender including specifications, warranty and service and documentation requirements.
- 2. **ADDENDA/ADDENDUM**: means a published change to the Request for Quotation as a result of clarifications to the Request for Quotation. Addendum may be issued at any time prior to closing <u>and a signed and dated copy of the addenda are required to be included as part of the Proposal package.</u>
- 3. **BID:** means an offer or submission by a Proponent in response to an invitation to a Request For Quotation.
- 4. **BIDDER:** means a Proponent that submits a bid or proposal in response to a Request for Quotation.
- 5. **CAO:** Refers to the Chief Administrative Officer of the Town of St Stephen and may include any person delegated by the CAO, or the Town, to represent him on matters related to this tender, or the subsequent management of the agreement.
- 6. CRA: Refers to the Canada Revenue Agency.
- 7. **CONTRACT**: Refers to a legal agreement including a written agreement, or an agreement based on the Town placing an order for supply, with the order the result of the tender process for the supply including a submitted proposal by the bidder, subsequently accepted by the Town. Any agreement, written, oral or by purchase order includes, or is deemed to include, the tender document and any issued addenda as posted on the NBON for this tender, and the subsequent proposal by the bidder which has been accepted by the Town.
- 8. **COUNCIL:** Refers to the elected Council, including the Mayor, of the Town of St. Stephen.
- 9. **DENOTATIONS:** The words "may" "could" or "should" denote the permissive. The words "must", "shall" or "will" denote the imperative.
- 10. **DULY AUTHORIZED OFFICIAL:** Refers to authorized personnel who are legally authorized to sign agreements and who, by way of their position or other legal authority, have been authorized to legally bind the company, operation or town, by virtue of their signature, and seal if applicable, on the agreements.
- 11. **GENDER:** This tender document is considered to be gender neutral. Any reference to gender shall be implied to mean either gender.
- 12. HST: Refers to Harmonized Sales Tax.
- 13. **INVITATION:** means a written invitation for prospective proponents to submit offers, bids or proposals.
- 14. **NBON:** refers to the New Brunswick Opportunities Network (https://nbon-rpanb.gnb.ca).



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- 15. **NEW** means not having any usage (except for normal dealer testing or service), or previously licensed for road use. Vehicle odometer reading, which is, in the opinion of the Town, excessive for normal dealer testing may be deemed to be a used vehicle, for the purposes of bid evaluation or acceptance of delivery, at the sole discretion of the Town.
- 16. **Official Version of RFQ and/or Addenda:** Where documents are posted on the NBON, these documents are considered to be the official documents and, will be considered to be the only correct version should they differ from copies obtained from other sources whether or not copies from other sources have been subsequently altered or do not agree with the version posted on the NBON.
- 17. **PROPONENT:** means a bidder and includes any corporation, partnership, individual, sole proprietorship, organization, joint stock company, joint venture or any other private or public legal entity qualified to provide specified vehicle and/or services subject to the Request For Quotation and includes its servants, employees and agents, or any of them.
- 18. **PROPOSAL/BID PROPOSAL:** means a bid or offer submitted in response to a Request for Quotation .
- 19. **RFQ:** Refers to the Request for Quotation for the provision of goods and/or services as requested by this Request for Quotation. A Request for Quotation is considered to be a tender.
- 20. **QUALIFIED:** means a manufacturer, factory branch, or a dealer engaged in the business of selling, dealing and servicing the vehicle tendered upon and who has the location, equipment, tools and trained staff to properly service the vehicle on a timely basis including maintaining a full stock of parts to assist with service and/or repair of the vehicle.
- 21. **SUPPLIER**: Refers to potential vendors who, in the opinion of the Town, are otherwise qualified to provide the goods or services which are the subject of the tender and may include other bidders.
- 22. **TOWN:** Refers to the Local Government of The Town of St. Stephen. Any reference to the Town includes reference to Council or to the Chief Administrative Officer, (CAO) or their delegate(s).
- 23. **TIME:** Any reference to Time as it relates to the time of day will refer to Atlantic Standard Time and will be adjusted for Daylight Savings Time. Any other reference to time will have its normally recognized meaning.
- 24. **TIMELY BASIS:** refers to the amount of time required to deliver a good or render a service that has been communicated with and approved by the Town of St. Stephen or is otherwise deemed reasonable by the Town of St. Stephen.
- 25. VEHICLE: means a 2022 Hybrid 4 WD Long Box Truck.
- 26. **VENDOR:** means the proponent of a bid proposal, or a supplier, who has been contracted by the Town to provide a supply of good(s) or service(s) or both.



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2) Request For Quotation (RFQ) Conditions and Provisions:

- i. Proposals will only be received from qualified proponents who have the ability to meet the requirements for the Tender, including delivery requirements and information to accompany tenders, and have the ability to provide services on a timely basis as required by the Town and who have submitted information to support the legal and, if applicable, operating name of the Proponent, as required by Section 12 Award of Request For Quotation and Payment Conditions and Terms will be evaluated.
- ii. Time is of the essence. Proposals must be received at the office of the CAO at the Town Hall at 22 Budd Ave., St. Stephen, NB E3L 1E9 no later than 2:00 pm on March 15, 2022. At the Time of official closing, determination by the Town that the tender has closed will be considered to be accurate and correct.
- iii. Bids received late, or not received with all required documents by the official closing time, will not be considered; the date and time stamped by the office of the CAO will be assumed to be correct in the event of a dispute.
- iv. Proposals must be submitted on the forms supplied by the Town. The Bidder's name, the RFQ number and the RFQ closing date must be clearly visible on the **outside of the envelope or package**, **including any courier envelope a proposal may be sealed in**, and the envelope or package must be sealed. Any information to be included with the RFQ must be included and sealed in the same envelope or provided as indicated in Section 8 Questions regarding RFQ and Addenda (Inquiries) or Section 9 Amendments and/or Withdrawals to a Proposal.
- v. A Bid may not be eligible for acceptance if current or past corporate or other interests of the Proponent may, in the Town's opinion, give rise to a conflict of interest in connection with the tender or if past practices or history of the proponent, including any prior history with the Town, is, in the opinion of the CAO, not in the best interest of the Town.
- vi. Sub-contracting by the proponent to any firm or individual for the purposes of this tender is not permitted without prior authorization, in writing, of the CAO or authorized delegate. If the tender is awarded to a firm, qualified employees, as noted in Section 7 Bidders Qualifications/Requirements, of the firm are permitted to assume the duties of the employer under the direction of the firm management.



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- vii. Relevant RFQ documents should be obtained directly by downloading from the NBON site as this is the only official version of the document. The Town may, in addition to posting on the NBON, post a copy on its website or provide a copy in PDF format to interested parties. Regardless of the method of receipt or delivery, it is the Bidders responsibility to ensure that they have met the requirements of "Section 3 Tender Submission Requirements" prior to submission of any bid. It is the bidder's responsibility to obtain Request for Quotation documents at their cost. Information obtained from the NBON can be obtained free of charge. The proponent assumes all responsibility for ensuring that the required information, including all addenda, are downloaded from the NBON site.
- viii. Questions regarding the RFQ or Addenda should be directed to the Town's representative as directed under Section 8 Questions regarding RFQ and Addenda (Inquiries).
 - ix. The Town will not be responsible for any costs, expenses, losses, damages or liability incurred by the Bidder as a result of, or arising out of, the submission of any Bid, or as a result of the Town not accepting or rejecting any Bid.
 - x. This tender will be subject to the Atlantic Procurement Agreement and deemed to include the terms and provisions thereof. Copies of the agreement(s), if required, can be obtained free of charge by downloading from the New Brunswick Department of Government Services, Procurement, website and available by following the link from the NBON site -: Procurement information Quick Link Legislation and Agreements.

3) Tender Submission Requirements

A) Tender Documents

- i. All Bidders are required to register with the New Brunswick Opportunities Network if they wish to receive notice of any updates, including tender documents and addenda's, if any. All bidders are required to verify before submission that all information, including addenda's, have been received and, if applicable, included with the submission.
- ii. Tender information may be made available on the website of the Town of St. Stephen, including tender documents and addenda's, if any, but notice of any changes, including addenda, will not be provided and posting of documents is not guaranteed and/or may not be posted on a timely basis.



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iii. The Town of St. Stephen is not responsible for any Bidder not receiving addenda or other updates that are available to registered bidders through the NBON even if some or all of the information received to date has been obtained directly from The Town of St. Stephen, including the Town of St. Stephen website, its staff, agents or consultants, or any other person or entity.

B) Specifications

- i. Specifications included with this tender are considered to be minimum requirements.
- ii. Consideration may be given to items exceeding specification minimums. Bidders are required to show exact details of the vehicle being offered for consideration and to indicate where any specifications that are provided with the tender proposal may differ from the specifications included with this document or issued addenda.
- iii. Proponents are also required to detail any vehicle (or specifications thereof) and/or services identified as required by the tender but not included in proposal pricing. Only a bid for new 2022 model year vehicle is to be submitted. Bids for other than new 2022 or newer model year vehicle will not be considered responsive to these specifications.
- iv. As only major components are specified in this tender, it is the vendor's responsibility to deliver a vehicle which will provide dependable and efficient service.
- v. Vehicle for which a tender is submitted shall conform to the latest laws, rules and regulations of the Province of New Brunswick, and all relevant requirements of the Canadian Motor Vehicle Safety Standards at the date of vehicle and equipment manufacture.
- vi. Vehicle will meet or surpass the mandatory Transport Canada Regulatory Standards and Regulations and SAE standards.
- vii. Failure to not include items requested by the tender, in the proponent's proposal, and not identify the items not included with an explanation as to why the item(s) are not being proposed may result in the proponent being deemed not able to sufficiently provide vehicle and services required by this tender.
- viii. Further information regarding scope of tender and tender requirements, including issues related to proposals that may not include all items, are stipulated in Appendix B -Specifications.



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C) Town Right to Inspect and Refuse To Accept

i. The Town reserves the right to inspect the vehicle delivered as a result of this tender and shall be the sole judge as to whether the vehicle being supplied meets the specifications outlined in the tender submission and the requirements of the Town.

D) Correction of Defects

i. If at any time during the period of the greater of one year, manufacturer's specified warranty/guarantee period or warranty period identified in the attached specifications, if any, after delivery, setup and commissioning of the vehicle, any part of the vehicle becomes defective or is deficient or fails due to defect in design, material or workmanship, or otherwise fails to meet the requirements of the contract, then the vendor, upon request, shall make good every such defect, deficiency or failure without cost to the Town. The Vendor shall pay for all repair or replacement costs including labour and transportation costs for parts and/or vehicle both ways between the vendor's factory or repair depot and the point of use. Warranty period shall not commence until the Town has notified the Vendor that they are satisfied that the Vendor has completed the engagement as specified in the tender and the vendor's proposal.

E) Proposal Price

- i. The price tendered shall be FOB destination, delivered to the Town of St. Stephen Transportation Services Department at 199 Union St., St. Stephen, NB or such other location as may be communicated in writing to the successful bidder.
- ii. The Proposal price shall be in Canadian funds and include all warranty, licensing, freight, duty and any and all permits, taxes, rates and charges which are applicable at the time of proposal submission except for HST. It is the responsibility of the bidder to determine from the appropriate authorities the extent to which any and all permits, taxes, rates and charges are applicable to their proposal and to ensure that the bid includes these charges, except for HST.
- iii. The amount of Harmonized Sales Tax (HST) shall not be included in the proposed bid price. The proposal price will be subject to HST at the rate in effect from time to time and will be included with the payment for the particular invoice. Information required to recover HST as an input credit or rebate will be made available by the proponent with each invoice including ensuring that the HST number is shown on the invoice and is valid for the Vendor and date that the Invoice is being billed.



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- iv. The tender price shall be inclusive of any additional work necessary to install, test, and train Town of St. Stephen staff or delegates on its use and any costs necessary to repair, maintain or replace vehicle during the warranty period.
- v. Proposal is to remain firm for the period of time noted in Section 6 Submissions of Proposals and any proposal which stipulates a period of time less than this minimum will be deemed to be for a period of time equal to the minimum required by Section 6.
- vi. In the event of an award, the proposal price, plus applicable HST, shall constitute full and complete amount which will be paid to the Proponent for the purpose of this tender excepting other contemplated deductions such as costs associated with re-tendering, if required, as contemplated by Section 13 Rights of the Town and subject to other conditions identified in this tender.
- vii. The lowest or any tender may not necessarily be accepted as the Town reserves the right to reject any or all tenders. Although this tender is a RFQ; factors other than the proposal price alone, as per Section 11 RFQ Criteria and Evaluation Criteria, are evaluated to determine the appropriate submission, if any, that will be submitted to Council for approval as per Section 13 Rights of the Town.
- viii. Failure to complete all portions of the tender may result in bid disqualifications.
- ix. The Town reserves the right, in addition to price, to evaluate the Proponent's past performance/references, work experience in the field, staffing and other factors which the Town deems appropriate in the determination of the Proponent's ability to deliver the goods and/or services as per submission requirements and as per bidders submission, and to provide acceptable level of service as contemplated by this tender.

F) Information to Accompany Tenders

i. All tenders must be accompanied by manufacturer's literature describing in detail the vehicle bid upon, together with product warranty. Failure to provide these documents may result in rejection of the tender.

G) Delivery Requirements

- i. Availability and delivery of the vehicle will be taken into consideration on this tender. A firm delivery date shall be stated on the tender form and shall be stated in the number of calendar days following receipt of order.
- ii. A qualified representative of the provider shall deliver the vehicle and all accessories, including warranty information and appropriate vehicle operator's manual.



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- iii. The vendor is responsible for ensuring that the vehicle is fully legal for road operations at the time of, and registered in the month of, delivery including, as applicable, licensed to the Town of St. Stephen, NB, safety inspected and operational. Any bid is to include all costs necessary for ensuring that the vehicle is operational and meets applicable requirements for legal road operations at the time of delivery.
- iv. Delivery costs shall be the responsibility of the vendor.

H) Tender Completion

- i. All portions of the tender shall be completed including descriptions and details where requested. The word "as specified" will not be accepted in place of descriptions and/or details.
- ii. Failure to complete all portions of the tender may result in bid disqualifications.

4) Presentations

In addition to other requirements noted in this document, proposals are to include:

- i. Request For Quotation Form Checklist (Page 24 of RFQ).
- ii. Request For Quotation Form Proposal Price and Signing (Page 25 of RFQ).
- iii. Completed Specifications (Pages 28 to Page 31 of RFQ).
- iv. Addenda issued, if any.
- v. Information about bidder as per Section 7 Bidders Qualifications/Requirements
- vi. All tenders must be accompanied by manufacturer's literature describing in detail the vehicle and/or services bid upon, together with product warranty. Failure to provide these may result in rejection of tender.
- vii. Other items as indicated in the RFQ.

5) Bid Signing

Duly authorized signing official(s) of the proponent must sign the Request For Quotation Form in the presence of a witness who will also sign and include information required as per Section 12 - Award of Request For Quotation and Payment Conditions and Terms, in sufficient time to meet service requirements.

6) Submissions of Proposals

i. A proposal that has not been accepted or is pending review is irrevocable and binding on the bidder submitting the proposal for a period of 60 days from the date of bid closing unless he has received prior formal notification from the Town's



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representative by mail, email, or fax (written notification) of the rejection of his proposal or the acceptance of the proposal of a competing bidder.

- ii. Proposals that have been accepted by the Council of the Town of St. Stephen and are awaiting signing of the agreement by both the Town and the successful bidder, is irrevocable and binding on the bidder submitting the proposal until the agreement has been signed subject to conditions imposed by Section 13 Rights of the Town.
- iii. Proposals may be amended or withdrawn, subject to conditions indicated under Section 9 Amendments and/or Withdrawals to Proposal.
- iv. Additional Addenda and/or submissions may be submitted, prior to the date and time of closing and in accordance with instructions provided in Section 8 Questions regarding RFQ and Addenda (Inquiries).
- v. Immediately following the official closing time, proposal packages will be opened by Town Staff. The Tender opening <u>will not</u> be open to the public, including the bidder or the bidder's representatives.
- vi. Details of the decision of Council, to award or not award the tender, including the successful bidder, and bid amount accepted, if awarded, will be made public on the NBON for the tender being advertised, after the decision of Council.
- vii. The Chief Administrative Officer and/or his authorized delegate(s) will review proposals and recommendations will be based on evaluation of the bid proposals and other information obtained and deemed necessary to determine ability of the proponent to meet the tender requirements and bid submission as proposed. The successful bidder's name and amount of award will be made available at the time of award.
- viii. All submissions become the property of the Town. Details of submissions may be disclosed after the evaluation process and therefore shall not be treated as confidential unless expressly stated otherwise and agreed to by the Town. The Bidder hereby grants the Town a license to post, distribute, copy, print or translate the Bid for the purposes of the tender. Any attempt to limit the Town's right in this area may result in rejection of the Bid unless agreed to by the Town.
 - ix. At any time while dealing with the Town, the Bidder or Bidder's staff may have access to confidential information belonging to the Town, including information which may be obtained, indicating recommendation of the award of a proposal, prior to disclosure in public at any public Council meeting. Should this occur, the Bidder must ensure that such information is not released to any individuals not authorized by the CAO for the Town and failure to comply may result in criminal and/or civil



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charges and/or the Bidder's disqualification from that tender or any further tenders issued by the Town. Bidder (and/or staff including subcontractor(s)) may be required to sign confidentiality agreements with the Town prior to performance of services for the Town and/or prior to payment from the Town, or at any other time. Failure to request confidentiality agreements to be signed will not be deemed permission to disclose, or permit to be disclosed, confidential information obtained in the performance of duties, or by any other means.

7) Bidder's Qualifications/Requirements

- i. Each Bidder is asked to provide information which would enable the Town to determine the bidder's ability to properly conduct business with the Town and to meet the standards applicable to provision of goods and/or services as described in this tender in an efficient and effective manner and to comply with applicable legislation and regulations such as related to the Municipal By-Laws, Local Governance Act, Workers Compensation Act or Income Tax Act and Excise Tax Act.
- ii. The Town reserves the right to consider any past history the proponent, or any individual firm or proposed subcontractor associated with the proposal, has had with the Town including, but not limited to, any experience providing vehicle(s) and services as noted in this tender, or other goods and services to the Town.
- iii. Tenders must contain the following:
 - Proof of Bidder's legal and, if applicable, operating names as required under Section 12 - Award of Request For Quotation and Payment Conditions and Terms.
 - Bidder's service location and facilities.
 - Bidder's qualifications and the qualifications of each person assigned. This information must be updated as necessary with the office of the CAO.
 - Information required as per Appendix.
 - Location and availability of parts inventory related to vehicle.

These factors will be considered when evaluating proposals as total cost of ownership, including factors which may result in undue delay with repairs or service, is of concern to the Town.

Bidders agree to comply with all applicable laws, regulations and standards, including all labour, occupational health & safety, and worker compensation requirements of the Province of New Brunswick or the Government of Canada.



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8) Questions regarding RFQ and Addenda (Inquiries)

- i. Questions regarding the RFQ and Addenda are to be addressed, in writing and mailed, emailed or delivered to be received by The Town of St. Stephen ATT: Frank Godsoe RFQ # TOSS22-02 no later than 12:00 pm on March 10, 2022 in time for the Town to prepare an Addendum, if necessary. Questions not properly addressed may not be responded to. Questions may be emailed to frank.godsoe@chocolatetown.ca or mailed or dropped off at the Town Office.
- ii. The Question must clearly indicate the RFQ number and closing date in the letter/email. Questions not properly marked, or not received from bidders registered with the NBON and showing an interest in this tender, may not be responded to. The Town shall not be responsible for the receipt of questions by the prescribed date and time due to equipment failure or for any other reason.
- iii. The reply may be made in the form of an addendum. A copy of the addendum, if any, will be made available for download to all bidders registered with the NBON and indicating an interest in this tender and may also be posted on the Town website. No other interpretation or explanation shall be valid and only documents posted on the NBON for this tender are to be considered official and form part of this tender. Nothing in this section relieves the proponent's responsibility to ensure that they have received all copies of the addendums for inclusion with their proposal, as per Section 3 (a)(i) -Tender Documents.
- iv. No response from any individual, or entity, shall be binding on the Town unless presented in the form of an addendum as posted by Town Officials on the NBON for this tender.
- v. The Town reserves the right to modify the terms of the RFQ (Issue Addenda) at any time prior to closing, at its sole discretion. All Addenda become part of the RFQ documents.
- vi. Nothing in this Invitation is intended to relieve proponents from forming their own opinions and conclusions with respect to the matters addressed in the invitation or its associated documents.
- vii. The Proponent shall be solely responsible for any errors, omissions, or misunderstandings resulting from the proponent's failure to thoroughly review and inquire and understand the RFQ, addenda or subsequent contract or order. The proponent shall obtain all required information, including appropriate independent legal advice, and shall not claim at any time after the submission of the proposal or the subsequent execution of the contract that there was any misunderstanding with regard to the conditions imposed by the tender.



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- viii. Envelopes or packages (including Courier envelopes), which meet the tender conditions stipulated in Section 2 (iv), must not be used to submit an enquiry; these envelopes are not opened before the official closing time.
 - ix. Bidders are responsible for ensuring that they are aware of and have complied with any Addenda.
 - x. Associated costs with respect to Addenda are to be included in proposal price.
 - xi. Bidders must sign Addenda and include copy in sealed Bid envelope.
- xii. If an addendum is issued, or proponent identifies failure to include addendum or other documents, after delivery to the Town of a sealed proposal, but before the date and time of closing as stipulated in Section 2 (ii) Request for Quotation (RFQ) Conditions and Provisions.:
 - The addendum and/or other information must be included in a separate sealed envelope that otherwise meets the requirements for submission except that the envelope will be marked as "Additional Information Enclosed";
 - and will not include any other material in the envelope except for addenda &/or information <u>not included</u> in the original proposal envelope;
 - An amendment to the proposal, as per Section 9 Amendments and/or Withdrawals to Proposal, must be submitted for any other information which would change or contradict information already submitted as a proposal.
 - Name, address and other information on the envelope must agree with the original proposal submission. Any such envelope, provided that is not in compliance with these terms, may result in the overall proposal being rejected.
 - Submissions in compliance with this section will be considered as one submission and proposal price will be deemed to include additional addenda unless bidder causes proposal to be withdrawn as provided for in Section 9 Amendments and/or Withdrawals to Proposal. Any such request will include additional addenda submitted according to this section.
 - Addenda and/or other information submitted according to this section will not be treated as an amendment to the proposal and will be deemed to be received subsequent to any amendment to a proposal.
 - Addenda or other information submissions in addition to the original proposal that are not submitted in accordance with this section will be rejected and may result in rejection of bidder's proposal.
 - The Town will not be responsible for failure to receive addenda or receipt of additional addenda after the deadline for submission.



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- xiii. If the Town issues changes (addenda) within five (5) days of the closing date, the closing date may be extended to allow for a suitable Bid preparation time.

 Notification on the NBON as an addendum, if necessary, will constitute notice of change of closing date and/or time if deemed necessary.
- xiv. The Question must clearly indicate the RFQ number and closing date in the letter. Questions which do not clearly indicate the RFQ number and closing date in the letter may not be answered. The Town shall not be responsible for the receipt of questions by the prescribed date and time due to equipment failure or for any other reason.
- xv. Inquires and responses may be recorded and may be distributed to all other Bidders as Addenda.
- xvi. No response shall be binding on the Town unless presented in the form of an Addendum as posted by Town Officials on the NBON website for this Tender.

9) Amendments and/or Withdrawals to Proposal

- i. A submitted proposal may be amended and/or withdrawn subsequent to receipt of the proposal by the Town, and prior to the date and time of closing of the proposals by:
 - a) Letter forwarded by fax or by mail or dropped off at the Town Office, signed by at least one of the persons signing the original proposal and addressed to the attention of the CAO. The letter must clearly indicate the Bidder Name, Tender Number and Name and Closing date or the letter may not be accepted.
 - b) Receipt of the amendment by the Town prior to the closing date and time of proposal.
 - c) Amendments to the original proposal must be submitted as follows:
 - Name, address and other information on the envelope must agree with the original proposal submission except that envelope must be clearly marked as "Amendment to Proposal";
 - Request for Quotation Form Proposal Price And Signing (page 25 to this tender document) must be marked as "Amendment" or overall proposal will be rejected as a duplicate submission as required by Section 10 (c) – Rejections;
 - Sealed in a separate envelope that otherwise meets the requirements for submission;
 - Amendments are for proposal pricing only and must not include other information. If other information needs to change than the proposal must be withdrawn and a new proposal submitted as per instructions below.



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- Only one amendment may be made without withdrawing proposal or overall proposal will be rejected.
- d) Withdrawal requests will be time and date stamped and must be received prior to the date and time of closing for this tender. Withdrawal requests received prior to the date and time of closing will result in withdrawal of any proposal, amendments or receipt of additional information received prior to the date and time of receipt of the withdrawal request.
- e) A new proposal, if submitted, must be received subsequent to the date and time of a valid withdrawal request and otherwise be compliant with the requirements for submission of a proposal as outlined in this document or any issued addenda.
- f) The Town shall not be responsible for the receipt of an amendment by the prescribed date and time due to equipment failure or for any other reason;

10) Rejections

- i. The following items are considered mandatory items and will result in rejection of the Bid:
 - a) Tender Submission arriving at the Town subsequent to the date and time of closing.
 - b) Tender proposal is not submitted on the forms provided by the Town for this Request For Quotation and **does not contain all addenda** issued, signed and dated on or before the date of the proposal submission by the bidder.
 - c) Is the second one submitted by the same Proponent, for the same RFQ, in which case all proposals by the same Proponent will be rejected unless the previous proposal was withdrawn in accordance with Section 9 Amendments and/or Withdrawals to Proposal. Submissions from Proponents that are related (within the meaning of section 251 of the Income Tax Act of Canada) are considered to be from the same Proponent.
 - d) Is the second amendment submitted for a proposal or the amendment submission is not submitted as stipulated in Section 9 Amendments and/or Withdrawals to Proposal.
 - e) Is not arrived at independently and without consultation with other potential bidders.



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- f) Both the written price in words and the numerical value contain typographical errors such that the proposal price cannot be determined.
- ii. A proposal may be rejected or amended, at the sole discretion of the Town and without explanation, and the proposal not considered, or may be accepted notwithstanding that it:
 - a) Contains errors in mathematics in which case the proper computation, as determined by the Town, at its sole discretion, may be carried out and the resultant total used in determining the proposal value.
 - b) Where there is a discrepancy between the numerical bid price and the written bid price the written value will be accepted as the proposal price and will govern the bid evaluation and contract administration. If there are errors in the written price, such that the written price is not discernible, then the Town may either reject the Tender or accept the numerical bid price at the Town's discretion.
 - c) Where there are changes to information contained in the proposal, <u>changed</u> <u>information is to be crossed out with the corrected information entered</u> <u>above the information being changed</u>. Information not corrected in this manner may result in the tender being rejected or accepted based on the original information or the information as changed, in the Town's discretion.
 - d) The use of correction fluid, correction tape or similar product to correct or change information may result in the Tender being rejected.
 - e) The Town will decide, at its discretion and with the object of fairness to all proponents, if lack of compliance with any tender requirement is sufficient in scope to warrant rejection of the tender.
 - f) Tender packages received that do not indicate the RFQ number and the RFQ closing date on the outside of the envelope, including any courier envelope a proposal may be sealed in, are subject to be opened for inspection by Town staff. If the tender enclosed is not in a separate sealed envelope that identifies the bidder and the tender, as identified in Section 2 (iv), then the tender will be deemed non-compliant. The Town reserves the right, in this situation, to consider the tender withdrawn and provide notice to the Bidder to enable them to provide a secondary submission which will only be considered if received prior to the date and time of closing.

Failure to comply with any of the mandatory terms or conditions contained or referenced in the Invitation documents shall result in the rejection of the Bid.



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11) RFQ Criteria and Evaluation Criteria

PROPOSAL RESPONSES:

- i. Bid Price, while an important factor, is not the only factor used to decide if a Bid meets the qualifications for acceptance of a quotation. Accepted bids shall be based on proposals that give the greatest value based on specifications, price, delivery and warranty and not necessarily on the lowest price. Factors, such as service capability, bid vehicle comparison, as well as the Town's cost and service expectations may result in the lowest, or any bidder, not being accepted.
- ii. Proponents shall provide a point-by-point response to this RFQ indicating compliance to the terms and conditions, and all required details.
- iii. Proponents are to provide a description of their capabilities as they pertain to this RFQ and as listed in Section 7 Bidders Qualifications/Requirements and/or Appendix A Proposal Submission Documentation. Include a detailed summary of your experience, location and personnel and subcontractor(s). Include all additional information that will enhance your detailed responses to the specifications.
- iv. Responses that are difficult to follow, or not appropriately organized, may result in a proposal not being recommended for approval, even if the proposal is the lowest overall bid.
- v. It is an obligation of the Proponent to read the Request For Quotation carefully and then to respond accordingly.
- vi. Failure to provide requested information may result in elimination from further consideration. The Town will not make assumptions on behalf of the Proponent and the Proponent should expect that their Proposal will only be evaluated based on the information provided and/or, at the discretion of the Town, information obtained from references or from past history or experience with the proponent or the proponent's staff or subcontractor(s). The Town reserves the right, at its discretion and without obligation, to contact Proponents for clarification on items in their proposals without consideration of the issuance of an addendum or obligation to contact other Proponents.



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12) Award of Request For Quotation and Payment Conditions and Terms

- i. The office of the CAO will only recommend to the Council of the Town of St. Stephen for approval of a proposal when the Town has determined the legal capacity for the bidder to contract with the Town as follows:
 - Proponent submits a proposal using the legal name of the proponent, as registered with the Corporate Registry, or equivalent, for the Province of New Brunswick or Province of Nova Scotia and proof of the registration is provided, unless submitted solely in the legal name of a proponent who is an individual without reference to an operating name or other named entity.
 - Where a proposal is provided by an entity that is registered in a jurisdiction other than New Brunswick or Nova Scotia it will be the responsibility of the proponent, at its cost, to prove that it has registered with the Corporate Registry for the Province of New Brunswick.
 - If proposal name differs from the legal name a letter of amendment is received which corrects the information provided in the proposal.
 - If the business is unincorporated, and/or operating using an operating name and intends to conduct business with the Town using the operating name, proof of registration with the Province of New Brunswick, or the Province of Nova Scotia of the operating name.
 - If the business is incorporated and intends to conduct business with the Town using the operating name, in addition to proof of registration of the operating name with the Province of New Brunswick, the Town will require an irrevocable letter of direction authorizing the Town to conduct business with, and submit payment to, the operating name and/or division on behalf of the company submitting the proposal.
 - If a proposal is received from an entity, and payments are to be made to an Agent of the entity, then an irrevocable letter of direction authorizing the payment shall be completed by the entity who provided the proposal. The Letter of Direction is to be signed by an official who signed the original proposal.
- ii. Town reserves the right to contact any proponent who does not provide sufficient information to enable the Town to determine bidder's legal capacity to contract with the Town, in the name of the proponent, or for legal authorization to make payment to an entity if not in the name of the legal proponent, as submitted on the form for the bid submission as provided by the Town or as amended in accordance with this section.
- iii. The Town of St. Stephen shall notify the successful bidder by telephone and/or mail or email that the firm is the successful bidder subject to approval of the Council of The Town of St. Stephen (as outlined in Section 13(xv) Rights of the Town).



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- iv. Invoicing received from the successful vendor must be in the name of the proponent as indicated on the proposal or as amended by a letter of direction (Section 12(i).-Award of Request For Quotation and Payment Conditions and Terms.)
- v. Approval and signing of any contract and/or agreement must be as directed by resolution of the Council of the Town of St. Stephen. If the Vendor requires the Town to sign on more than one agreement, contract or other document as a result of an award resulting from this tender then this must be made clear prior to submission to Council of the recommendation for approval of the proposal and is subject to approval by Council.
- vi. If a discount for early payment is offered, such discount shall be clearly indicated on the invoice including the amount of the discount by percentage or total, and the deadline for receipt of payment in order to receive the discount. Any such discount will be calculated from the later of receipt of the invoice, or date of completion of service and/or receipt of goods, to The Town of St. Stephen who shall be the sole judge as to whether the services meet the terms and conditions of the tender and delivery as per the tender and accepted tender submission.
- vii. Since early payment discounts are based on the bid proposal price as accepted by the Town in response to this tender, early payment discounts will not be considered when evaluating Bid Proposals.
- viii. Invoices shall be directed to The Town of St. Stephen at the address indicated in the RFQ to the attention of the Accounts Payable Manager and will detail purpose of the invoice and information to support amount of the invoice (for example date, time and hours of service and staff performing work) and shall include, where applicable, HST registration number active for the proponent on the date of the service and amount of HST payable.
 - ix. Invoicing will be completed upon receipt of goods and completion of all installation and services and after inspection and approval by officials and/or representatives of the Town of St. Stephen.
 - x. No right or duty, in whole or in part, of the Vendor under a contract issued, may be assigned or delegated without the prior consent of office of the CAO or authorized delegate for The Town of St. Stephen.

Bidders are advised that proposals will be evaluated solely on the basis of information submitted in accordance with this Request For Quotation, except as otherwise indicated in this tender document or any issued addenda.



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13) Rights of the Town

- i. The Town of St. Stephen does not, by virtue of this invitation, commit to an award of any submission for this invitation. Proposals are evaluated according to several criteria including comparisons of tender specifications to the tender request, and to each submission and an evaluation of the bidder as per information provided as outlined in Section 7 Bidders Qualifications/Requirements and Section 11 RFQ Criteria and Evaluation Criteria and Appendix information. Proposals with the lowest cost, or any proposal, will not necessarily be accepted.
- ii. In the event that two or more submissions are ranked as equal the Town reserves the right to break the tie in a manner it deems appropriate.
- iii. The Town reserves the right to consult with any Proponent, prior to award, without prejudice to any award or decision to award or without requiring consultation with other Proponents.
- iv. The Town reserves the right to clarify information received in the tender that does not result in a change to the overall proposal evaluation, including the right to request documentation to support the legal and operating names of the bidder, where not otherwise provided, and to accept a change in name, by letter of direction, where the information submitted on the proposal does not agree with information registered with the appropriate authority as required by Section 12 Award of Request For Quotation and Payment Conditions and Terms.
- v. In the event that a bid is considered for recommendation to Council for approval of the bid proposal, and recommendation to award, but the Town is unable to determine the legal name of the bidder, as required by Section 12 Award of Request For Quotation and Payment Conditions and Terms, in sufficient time to meet service requirements as determined by the Town and taking into consideration timing of required Council notification and closed and/or public meetings, the Town reserves the right to consider alternate bids that otherwise meet the specifications as required by the tender request but may not have been selected as the primary proposal for recommendation to Council to award.
- vi. When no compliant Bids are received in response to the RFQ, the Town reserves the right to close the RFQ and enter into negotiations with one or more suppliers, at the discretion of the Town, in order to complete the procurement, without retendering or otherwise publishing or disclosing the results of the negotiations, except as required for award of contract in open Council, if otherwise required.



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- vii. This tender is subject to an approved budget, and the Town reserves the right to cancel the tender or amend the specification or terms of the tender, including vehicle or service specifications, or negotiate with one or more suppliers to complete the purchase, when all bids received, that otherwise meet the specifications for the bid proposed, are greater than the approved budget.
- viii. Bids that do not meet the tender specification requirements, in part or in full, may not be considered or the Town may deem to price to tender specifications, for the purpose of tender evaluation, and evaluate based on the deemed pricing, at the sole discretion of the Town.
 - ix. When all Bids received in response to the RFQ are greater than the budget allocated for the purchase of the vehicle and/or services being requested in the tender, and when the vehicle and/or services are itemized such that the budget could be met without retendering by amending the number or nature of the items being tendered, the Town reserves the right to negotiate with the accepted bidder that would otherwise have been recommend for award of the tender, to attempt to meet the budget without having to retender. If the Town is unable to successfully negotiate the purchase to meet the budget with the bidder selected, then the Town reserves the right to negotiate with one or more alternate bidders, or suppliers, without re-tendering.
 - x. The Town will be the sole judge of whether there is sufficient justification to cancel any Tender.
 - xi. No action of the Town to hire or otherwise contract a service, repair or improvement on the vehicle or the purchase, repair, service, or improvement of any other vehicle from any qualified vendor, whether the successful bidder or not, relieves the bidder's obligation to perform any service, repair or improvement on the vehicle as outlined in the bidder's response to this tender.
- xii. The Town reserves the right to consult with any Proponent, prior to award, without prejudice to any award, or decision not to award, or without requiring consultation with other Proponent's.
- xiii. The Town reserves the right, without any other authorization, to take all or any portion of the award out of the bidder's hands including the right to cancel all, or a portion, of a purchase order or award with the Town, and may employ such means as the Town may see fit to acquire the service or complete any work, in any of the following cases:



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- 1. Where the Vendor has made default or delayed in commencing or in diligently executing the work or delivery or any portion thereof to the satisfaction of the Town, and the Town has given notice thereof to the Vendor and has by such notice required the Vendor to put an end to such default or delay and such default or delay continues after such notice was given.
- 2. Where the Vendor has become insolvent or committed an act of bankruptcy or been placed in the hands of a receiver.
- 3. Where the Vendor has otherwise failed to observe or perform any of the provisions of the contract or as agreed to in its proposal.
- xiv. If the work or any portion has been taken out of the Vendor's hands under this section, the Vendor shall not be entitled to any further payment in respect of the work so affected and the Town may recover any additional costs, associated with awarding of the remaining portion of the contract, including renewal periods, if any, to another supplier. If amounts are payable to the Vendor at the time of default, the Town reserves the right to withhold payment until such costs are determined and to apply the amount required to compensate the Town for the cost to find a replacement Vendor including costs associated with the submission of a Tender or Bid Proposal, if any.
- xv. Award of contracts: No contract shall be awarded, and no agreement will be signed, with a proponent unless authorized by the Council of The Town of St. Stephen, at a duly called meeting, as evidenced by the signature of the Mayor and Town Clerk or, in their absence, duly authorized officers or officials or in the event a contract or agreement is not required, as evidenced by the appropriate resolution of Council which has been certified by the Clerk.
 - 1. The Town may make an award conditional on the negotiation and acceptance of a detailed contract between the Town and the Bidder, or conditional on receipt of the certified resolution of the Clerk. In such cases, should the detailed contract negotiations not be completed in a reasonable period of time, as determined at the absolute discretion of the Town, the Town reserves the right to discontinue negotiations with the Bidder and subsequently enter into negotiations with another Supplier and/or re-tender or cancel the Invitation.
- xvi. The Bidder, by submitting a proposal, agrees that no action or liability will lie or reside against the Town in its exercise of its rights under this RFQ.
- xvii. The Bidder and the Town agree that this Tender document, and inclusion of any Addenda, if any, shall constitute and form part of any agreement, even if not included with any agreement that is signed by the Bidder and the Town after award of the tender to the Bidder.



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- xviii. The Town will not be responsible for failure to receive any document required for submission of a proposal, or receipt of a document required for submission of a proposal, that is date and time stamped after the date and time requirements indicated in the tender document or any issued addenda.
 - xix. Time and date stamps placed by the CAO or his delegate on a document received by the Town of St. Stephen will be accepted by both the Town of St. Stephen and any bidder as being correct.
 - xx. The Bidder, by submitting a bid, acknowledges that they have performed their due diligence, including obtaining appropriate legal advice, prior to submission of a proposal and by submitting a proposal is deemed to have provided the Town with assurance that they accept the terms of this document, unless proposed changes are agreed to in writing prior to issuance of any contract, order or purchase order, the changes of which would become part of the agreement for service.
- xxi. Severability: If any section or part of a section contained in this tender, including Addenda, shall be judicially held invalid or unenforceable, the remainder of this tender, including Addenda, shall be interpreted as if such section or part of a section had not been included.



The Town of St. Stephen

RFQ # TOSS22-02

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REQUEST FOR QUOTATION FORM - CHECKLIST

PROPOSAL OF (Legal Name – Section 12)		
Enclosed (Only indicate N/A if <u>not applicable</u> – Failure to include follow checklist may result in proposal being rejected):	de required inf	formation o
- Bidder provides detailed information required by Tender	Yes	
- Dated, signed and sealed by an authorized signing authority	Yes	
- Verified that Proposal calculation is mathematically correct	Yes	
- Proof of legal capacity to Contract with Town as per Section 12((Required if bid under a Corporate or Operating name)	(i) Yes	N/A
- Letter of direction and proof of registered operating name (Section (Required if proposal prepared using Operating Name which Company name or Individuals legal name)	· //	
- Issued Addenda(s) included and signed	Yes	N/A
- Information about Proponent (as per Section 7 and Appendix)	Yes	
- Proponent name on front of envelope	Yes	
- Proposal closing date on envelope	Yes	
- Tender Number on Front of envelope (including Courier packag (See Section 10 (f) – Rejections)	e) Yes	
-Two copies of proposal (original and <u>one unbound</u> copy) enclose	ed Yes	
- Manufacturer's literature and copy of warranty enclosed	Yes	
- Request For Quotation – Checklist initialed by individual(s) and included in envelope	Yes	
- Envelope is properly sealed for closure. (See Section 10 (f) – Rejections)	Yes	
- Irrevocable Letter of Direction if payment to other than bidder	Yes	N/A
Authorized Bidder Initial		



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REQUEST FOR QUOTATION FORM – PROPOSAL PRICE AND SIGNING

The undersigned bidder has carefully examined the form of the Request For Quotation and the specifications to provide the 2022 Hybrid 4 WD Long Box Truck as described in the attached specifications and will accept in full payment the following proposal bid, <u>in accordance with Section 3</u> (E) – Tender Submission Requirements – Proposal Price.

<u>Legal</u> Name of Bidder (Section	12):		
ADDRESS			
STREET PROVINCE		CITY/TOWN	•
TEL NUMBER ()	FAX ()	EMAIL:	
2022 Hybrid 4 WD Long Box	Fruck as specified (Appo	endix B) \$	
Net Proposal Bid, excluding HST	[(Figures) and subject to	Section 3 E (vi) \$	
Net Proposal Bid		DOLLARS (Written)	
And	CENTS (Written)	(Verify above calculation for a	ccuracy)
Delivery Date after Order in cale Ensure that the written price a corrected by crossing out the initialed by the authorized bid- rejected. Bid Prices are before	and the price in number tem being changed with der. Changes not corre	the changed information enter	red and
X Sign (Bidder Official – Section 5		XSign (Witness)	
Sign (Bidder Official – Section 5	5) Date	Sign (Witness)	
Print Name (Bidder Official)	-	Print Name (W	itness)
X		X	
X Sign (Bidder Official – Section 5	5) Date	Sign (Witness)	
Print Name (Bidder Official)	-	Print Name (W	ŕ
For Town Use Only:	Council Resolution #/	Date	
Date Order Placed:	Order Placed	Ву:	



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Appendix A – Proposal Submission Documentation Page 27

Appendix B – Specifications Page 28-31



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Appendix A - Proposal Submission Documentation

In addition to information required by Section 7 – Bidders Qualifications/Requirements or other sections of this tender, proponent will include with their submissions the following information:

- Any previous experience providing similar services, on behalf of the Town of St. Stephen, as a contractor, employee or subcontractor. As indicated in Section 7(ii) – Bidder's Qualifications/Requirements, this information may be considered when evaluating a tender to determine the ability of the proponent to successfully provide the services on a timely basis and to be able to successfully work and interact with Town staff.
- Number of years business has been in operation.
- What jobs will be sub-contracted (if any), and who sub-contractors will be. It
 is a condition of this tender that all sub-contractors be approved by the Town
 and have, as a condition of their contract, appropriate Workers Compensation
 coverage, and liability insurance, with the Town as a Named Insured, as
 required by this Tender for the proponent.
- Any other information which the Bidder feels would assist the Town with its evaluation of the skill, expertise and ability of the Bidder to provide vehicle or services or supervise the quality of work performed by subcontractors providing vehicle or services.
- Other information as requested in Section 7 Bidders; Qualifications/Requirements or other sections of this tender.



The Town of St. Stephen RFQ # TOSS22-02 2022 Hybrid 4 WD Long Box Truck Closing Date: March 15, 2022 2:00 PM Atlantic

Appendix A - Specifications	SPECIFY
MODEL 2022, new, 4wd, hybrid HD truck, long box (length)	
ENGINE Hybrid engine Net H.P. Torque lbft Antifreeze protection to -40 F C Block heater	
TRANSMISSION	
Heavy duty automatic	
Heavy Duty External Cooler	
Cruise control	
AXLES	
Front Axle capability/lb.	
HD front shocks	
Front Coil Springs	
Automatic front wheel locking hubs	
Rear Axle capability/lb.	
HD rear shocks	
Rear Auxiliary coil springs	
High Capacity Trailering package	
TIRES E Rated sidewall All Terrain Tread Spare tire and wheel same as those mounted on truck	
Bidder Initial	



The Town of St. Stephen RFQ # TOSS22-02 2022 Hybrid 4 WD Long Box Truck Closing Date: March 15, 2022 2:00 PM Atlantic

Appendix A – Specifications (Continued)	<u>SPECIFY</u>
Electrical	
Min 150 amp alternator	
Cold cranking Amp	
Battery Amp/Hr	
Electric Backup alarm	
Trailer Brake	
BlueTooth compatible	
Back-up camera	
Remote Start	
Brakes	
Power disk front and rear	
Tower disk from and real	
Steering	
Power	
CAB 4 door crew cab	
Heavy duty two speed and intermittent type windshield wipers with heavy duty	arctic
blades and washer system	arctic
Sun visors for cab	
AM/FM radio	
Auxiliary power port (12 volt)	
110V AC Outlet	
Approved type seat belts with retractors	
Rear Window Defrost	
All windows to have approved type tinted safety glass	
Instrumentation to provide audible or visual indicators for the	
following: Engine coolant temperature	
Transmission	
temperature Fuel	
Bidder Initial	



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Appendix A – Specifications (Continued)	SPECIFY
level Voltage Engine oil pressure	
Heated mirrors	
Driver side adjustable mirrors Power windows Air Conditioning Vinyl or leather seats (no cloth) Rubber (vinyl) all weather floors Front Bucket Seats Full rear seat Swing back mirrors Front Bumper with tow hooks Undercoating Protection	
Accessories Rear back rack Spray on Box Liner	
Front Hitch 2" Class V Receiver (to attach winch) Rear Hitch 2" Class V Receiver Assist Steps Front and Rear	
STANDARD VEHICLE	
To include all other items listed as standard or manufacturers specifications	
WARRANTY To include 12 month full warranty and additional 36 month power trainwarranty	anty
REGISTRATION/LICENSE/SAFETY INSPECTION Truck is to be safety inspected prior to and dated the month of delivery, regis And licensed to the Town of St. Stephen	etered ———
Bidder Initial	



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STANDARD VEHICLE To include all other items listed as Standard in Manufacturer's specifications BIDDER'S NAME SIGNATURE COMPANY NAME TITLE DATE TELEPHONE FAX OWNER'S MANUAL Operator's manual Parts manual

Operator's manual Parts manual Service manual Repair Manual