



Town of St. Stephen

RFQ # TOSS16-01

Tender

2016 or 2017 Model Year

¾ Ton 4X4 Heavy Duty Long Wheel Base Truck with Plow

Closing Date: June 27, 2016 12:00 p.m. (AST)

TERMS AND CONDITIONS

REQUEST FOR QUOTATION (RFQ)

The Town of St. Stephen is inviting proposals from qualified proponents to provide one (1) new, not used, 2016 or 2017 Model Year ¾ Ton 4X4 Heavy Duty Long Wheel Base Truck with plow that meets or exceeds the specifications attached to this tender request.

Please see Section 5 – Bid Signing and Section 11 - 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 (original and one copy) of these Request For Quotation documents shall be submitted on the forms supplied by the Town of St. Stephen.

REQUEST FOR QUOTATION SUBMISSIONS

Request For Quotations shall be in a sealed envelope clearly showing the RFQ Name and Number, Closing Date, and Proponent's Name and Contact Information on the front of the envelope and addressed as follows:

Mr. Derek O'Brien, Chief Administrative Officer
Town of St. Stephen
112-73 Milltown Blvd.
St. Stephen, N.B. E3L 1G5

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

Questions regarding this tender shall be directed to the representative 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 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 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 e-mail.

This tender document, excluding addenda, is comprised of 27 pages.



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1) Terminology

1. **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 and are required to be included as part of the Proposal package.
2. **BID:** means an offer or submission by a Proponent in response to an invitation to a Request For Quotation.
3. **BIDDER/CONTRACTOR:** means a Proponent that submits a bid or proposal in response to a Request for Quotation and includes the proponent's owners, representatives, employees or subcontractors.
4. **DENOTATIONS:** The words "may" "could" or "should" denote the permissive. The words "must", "shall" or "will" denote the imperative.
5. **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 or operation by virtue of their signature, and seal if applicable, on the agreements.
6. **GENDER:** Request for Quotation is considered to be gender neutral. Any reference to gender shall be implied to mean either gender.
7. **INVITATION TO BID:** means a written invitation for prospective proponents to submit offers, bids or proposals.
8. **NBON** – refers to the New Brunswick Opportunities Network (<https://nbon-rpanb.gnb.ca>).
9. **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. Where documents have not been posted on the NBON, documents posted by the Town on their website (<http://town.ststephen.nb.ca>) will be considered to be the official version.
10. **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 equipment and/or services subject to the request for quotation and includes its servants, employees and agents, or any of them.
11. **PROPOSAL:** means a bid or offer submitted in response to a Request for Quotation.
12. **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.



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13. **QUALIFIED:** means a manufacturer, factory branch, or a dealer engaged in the business of selling, dealing and servicing the equipment 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.
14. **TOWN:** Refers to Municipality 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).
15. **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.
16. **VEHICLE:** Refers to a 2016 or 2017 Model Year ¾ Ton 4X4 Heavy Duty Long Wheel Base Truck with plow that meets the specifications attached to this tender.

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 11 - Award of Request For Quotation and Payment Conditions and Terms.
- ii. Time is of the essence. Proposals must be received at the office of the CAO at the Town Hall at 73 Milltown Blvd., Suite 112, St. Stephen, NB E3L 1G5 **no later than 12:00 pm June 27, 2016.**
- iii. Bids received late, or not received with all required documents by the closing time, will not be considered; the date and time stamped by the office of the CAO, or his delegate, 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 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 Bidder 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



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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 the express written permission of the CAO.
- vii. Proposals will be opened publicly in the Town Hall immediately following Bid Closing. Bid Price may be disclosed, however as factors other than price are evaluated to determine the qualifications, past experience, history and ability of the proponent to manage the contract in accordance with the terms of the tender and the proponent's proposal, the lowest or any bid may not be accepted by the Town. The Town reserves the right to reject any and/or all bids in accordance with Section 13 – Rights of the Town and/or other sections of this tender.
- viii. Relevant RFQ documents should be obtained directly by downloading from the NBON or alternately the Town of St. Stephen website under the banner for Town Hall and the link "Tenders". It is the bidder's responsibility to obtain Request For Quotation documents at their cost. Information obtained from the NBON or the Town of St. Stephen Tender site can be obtained free of charge, however only documents obtained from the NBON are considered official documents and the Town does not guarantee the accuracy or completeness of documents received from any other source, even if obtained directly from, or with the assistance of, Town of St. Stephen employees or agents.
- ix. 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).
- x. 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.
- xi. 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.



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3) Tender Submission Requirements

A) Tender Documents

- i. All potential bidders are required to register with the New Brunswick Opportunities Network if they wish to receive notice of any updates, including addenda's and to verify before submission that all information, including addenda's has 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 is not guaranteed and/or may not be on a timely basis.
- iii. The Town of St. Stephen is not responsible for any Bidder not receiving addenda or other updates that are available to registered bidders on the NBON, or the Town of St. Stephen's website if not posted on the NBON, even if some or all of the information received to date has been obtained from The Town of St. Stephen, it's employees, agents or representatives.

B) Specifications

- i. Specifications (Appendix A) included with this tender are considered to be minimum requirements.
- ii. Consideration may be given to items exceeding specification minimums. Bidders are
 1. required to show exact details of the vehicle being offered for consideration and to
 2. indicate where any specifications that are provided with the tender proposal may differ from the specifications included with this document or issued addenda.
- ii. Proponents are also required to detail any equipment (or specifications thereof) and/or services identified as required by the tender but not included in proposal pricing. Only a bid for a new 2016 or 2017 model year is to be submitted. Bids for other than a new vehicle will not be considered responsive to these specifications.
- iii. As only major components are specified in this tender, it is the vendor's responsibility to deliver a vehicle that will provide dependable and efficient service.
- iv. 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.



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- v. Vehicle will meet or surpass the mandatory requirements of the S.A.E. standards.
- vi. 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.
- vii. Further information regarding scope of tender and tender requirements, including issues related to proposals that may not include all items, are stipulated in Appendix A - Specifications.

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 basic requirements of the Town.

D) Correction of Defects

- i. If at any time greater than the period 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 all transportation costs for parts and/or equipment 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 delivered to the Town of St. Stephen Works Garage 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,



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taxes, rates and charges are applicable to this proposal and to ensure that the bid includes these charges.

- iii. 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 or maintain equipment during the warranty period.
- iv. 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 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.
- v. Proposal is to remain firm for the period of time noted in Section 6 – Submissions of Proposals.
- vi. In the event of an award, the proposal amount shall constitute full and complete amount which will be paid to the Proponent for the purpose of this tender, except for HST and excepting other contemplated deductions such as costs associated with re-tendering if required as contemplated by Section 13 – Rights of the Town.
- viii. The lowest or any tender may not necessarily be accepted as the Town reserves the right to reject any or all tenders. This is a RFQ, however factors other than the proposal price alone are evaluated to determine the appropriate submission, if any, that will be submitted to Council for approval.
- ix. The Town reserves the right, in addition to price, to evaluate the Bidders 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 services as per submission requirements and as per bidders submission, and to provide acceptable level of service as contemplated by this tender.



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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 new 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. Where applicable, vehicle is to be safety inspected prior to delivery to the Town. Warranty, licensing and the vehicle inspection are to be dated in the month of delivery, and the vehicle delivered within two days of the date the vehicle is licensed unless prior approval is obtained in writing from the appropriate Town official responsible for accepting delivery of the vehicle.
- iii. Vehicle will be delivered with the appropriate warranty information, as specified in the submission and dated as of the date of licensing of the vehicle.
- iv. Vehicle will be delivered with appropriate operators manual.

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. 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 21 of RFQ)
- ii. Request For Quotation Form – Proposal Price and Signing (Page 22 of RFQ)
- iii. Addenda issued, if any;
- iv. Information about bidder as per Section 7 – Bidders Qualifications/Requirements
- v. All tenders must be accompanied by manufacturer's literature describing in detail the equipment and/or services bid upon, together with product warranty. Failure to provide these may result in rejection of tender.



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5) Bid Signing

Duly authorized signing official(s) of the bidder's company must sign the Request For Quotation Form in the presence of a witness who will also sign and include information required as per Section 11 - 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 closing unless he has received prior formal notification by letter from the Town's representative by mail or e-mail of the rejection of his proposal or the acceptance of the proposal of a competing bidder.
- ii. Proposals may be amended or withdrawn, subject to conditions indicated under Section 9 - Amendments and/or Withdrawals to Proposal.
- iii. 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).
- iv. Immediately following the closing time, proposal packages will be publicly opened in the Council Chambers or other designated area of the Town Hall and Bid Price may be disclosed as indicated in Section 2(vii) – Request for Quotation (RFQ) Conditions and Provisions.
- v. 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. Bid information of the successful bidder will be made available at the time of award.
- vi. 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 Invitation. Any attempt to limit the Town's right in this area may result in rejection of the Bid unless agreed to by the Town.
- vii. During the performance of services, the Bidder or Bidder's staff may have access to confidential information belonging to the Town, including information that may be



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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 charges and/or the Bidder's disqualification from 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 for billed services, or at any other time, but 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, to meet the standards related to the applicable provision of services in an efficient and effective manner and to comply with applicable legislation and regulations such as related to National or Provincial Acts or Regulations and/or Municipal by-laws, Municipalities Act, Workers Compensation Act or Income Tax Act and Excise Tax Acts.
- ii. The Town reserves the right to consider any past history the vendor, 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 similar services to the Town.
- iii. Tenders must contain the following:
 - Proof of Bidder's legal and, if applicable, operating names as required under Section 11 - 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 will 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 that may result in undue delay with repairs or service, is of concern to the Town.



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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.

8) Questions regarding RFQ and Addenda (Inquiries)

- i. Questions regarding the RFQ and Addenda are to be addressed, in writing and mailed, e-mailed or delivered to the **Town of St. Stephen - ATT: Derek O'Brien - RFQ # TOSS16-01 no later than 12:00 pm on June 22, 2016 in time for the Town to prepare an Addendum, if necessary. Questions not properly addressed may not be given a response. Questions may be e-mailed to dobrien@town.ststephen.nb.ca or mailed or dropped off at the Town Office.** The reply may be made in the form of an addendum. A copy of the addendum, if any, will be made available on the NBOB and posted on the Town website. No other interpretation or explanation shall be valid and only documents posted on the NBOB are to be considered official and will be considered when evaluating responses to this tender. Nothing in this section relieves the proponents 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.
- ii. 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. 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. 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 contract.
- iii. 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.
- iv. Bidders are responsible for ensuring that they are aware of and have complied with any Addenda.
- v. Associated costs with respect to Addenda are to be included in proposal price.
- vi. Bidders must sign Addenda and include copy in sealed Bid envelope.



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- vii. If an addendum is issued, or proponent identifies failure to include addendum or other documents, after delivery to the Town of a sealed proposal:
- 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 may not include any other material in the envelope except for addenda &/or information **not included** 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.
- viii. 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.
- ix. The Question must clearly indicate the RFQ number and closing date in the letter. Questions that 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.
- x. Inquires and responses may be recorded and may be distributed to all other Bidders as Addenda.



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- xi. No response shall be binding on the Town unless made in writing by the official or designate authorized by the Town to respond to such enquires, as indicated in Section 8 - Questions regarding RFQ and Addenda (Inquiries) or as changed by addenda, and such response is issued in the form of an Addendum.
- xii. If an envelope was included with the Invitation documents, this envelope must not be used to submit an enquiry; these envelopes are not opened before the closing time for receipt of Bids.

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) Withdrawal by letter forwarded by fax or by mail, signed by at least one of the persons signing the original proposal and addressed to the attention of the CAO;
 - b) Depositing the amendment 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 (page 22) to this tender document) must be marked as “Amendment” or overall proposal will be rejected as a duplicate submission as required by Section 10(i)(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.
 - Only one amendment may be made without withdrawing proposal or overall proposal will be rejected.
 - d) 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;
 - e) 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



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time of receipt of the withdrawal request. 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.

10) Rejections

- i. The following items are considered mandatory items and will result in rejection of the Bid, if the proposal:
 - 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. 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.
 - 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, 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 value as determined by Section 3 E (iv) – Proposal Pricing will be used to determine the bid price.
 - 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



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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, **changed information is to be crossed out with the corrected information entered above the information being changed.** 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.**

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.

11) 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:**

- Bidder submits a proposal using the legal name of the bidder, 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 name of an individual bidder 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 bidder, 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, 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



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name with the Province of New Brunswick, the Town will require a 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;

- Town reserves the right to contact any proposer 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 proposer, as provided on the form provided by the Town for such purpose.
- ii. The Town of St. Stephen shall notify the successful bidder by telephone and/or mail that the firm is the successful bidder subject to approval of the Council of the Town of St. Stephen (as outlined in Section 13(x) – Rights of the Town).
- iii. Invoicing received from the successful bidder must be in the name of the bidder as indicated on the proposal or as amended by a letter of direction (Section 11(i).- Award of Request For Quotation and Payment Conditions and Terms.)
- iv. 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 company 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.
- v. 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 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.
- vi. 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.
- vii. Invoices shall be directed to the Town of St. Stephen at the address indicated in the RFQ to the attention of the Accounts Payable Department 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.



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- viii. Invoicing will be completed upon completion of all installation and services and after inspection and approval by officials and/or representatives of the Town of St. Stephen.
- ix. No right or duty, in whole or in part, of the Bidder 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.

Bidder's are advised that proposals will be evaluated solely on the basis of information submitted in accordance with this Request For Quotation.

12) RFQ Criteria and Evaluation Criteria

PROPOSAL RESPONSES:

- i. Proponents shall provide a point by point response to this RFQ indicating compliance to the terms and conditions, and all required details.
- ii. 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 B – Proposal Submission Documentation. Include a detailed summary of your experience, location and personnel and subcontractor(s). Include any and all additional information that will enhance your detailed responses to the specifications. 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.
- iii. It is an obligation of the Proponent to read the Request For Quotation carefully and then to respond accordingly. 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 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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13) Rights of the Town

- i. The Town of St. Stephen does not, by virtue of this proposal call, commit to an award of this proposal. 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 12 – RFQ Criteria and Evaluation Criteria and Appendix information. 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 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 submitted as the Bidder, 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 11 - Award of Request For Quotation and Payment Conditions and Terms;
- iv. 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 11 - 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;
- v. When no compliant Bids are received in response to the RFQ, the Town reserves the right to enter into negotiations with one or more Proponents, or with any other potential vendor, in order to complete the procurement;
- vi. The Town will be the sole judge of whether there is sufficient justification to cancel any Tender;
- vii. 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



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obligation to perform any service, repair or improvement on the vehicle as outlined in the bidders response to this tender.

- viii. 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;
- ix. 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:
1. Where the Bidder 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 Bidder and has by such notice required the Bidder to put an end to such default or delay and such default or delay continues after such notice was given;
 2. Where the Bidder has become insolvent or committed an act of bankruptcy or been placed in the hands of a receiver;
 3. Where the Bidder has otherwise failed to observe or perform any of the provisions of the contract or as agreed to in its proposal for service;
- x. In the event that the work or any portion has been taken out of the Proponent's hands under this section or as a result of dismissal for cause, the Town may recover any additional costs, associated with awarding of the remaining portion of the contract, including renewal periods, if any, to another Proponent. If amounts are receivable from the Proponent at the time of default, the Town reserves the right to demand immediate payment and bill the Proponent for such costs as are determined and to invoice the amount required to compensate the Town for the cost to find a replacement Proponent including costs associated with the submission of a Tender or Bid Proposal, if any;
- xi. 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.** The Town may make an award to a bidder conditional on the negotiation and acceptance of a detailed contract between the Town and the Bidder. 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



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negotiations with the Bidder and subsequently enter into negotiations with another Bidder and/or re-tender or cancel the Invitation;

- xii. 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 proposal;
- xiii. This Tender document, and inclusion of any Addenda, if any, shall constitute and form part of any agreement to purchase;
- xiv. 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 subsequent to the date and time requirements indicated in the tender document or any issued addenda. 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;
- xv. 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.



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REQUEST FOR QUOTATION FORM - CHECKLIST

PROPOSAL OF (Legal Name – Section 11) _____

Enclosed (Only indicate N/A if not applicable – Failure to include required information or follow checklist may result in proposal being rejected):

- 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 in N.B.as per Section 11(1) Yes___ N/A___
(Only N/A if bidding under individual legal name)
- Letter of direction and proof of operating name (Section 11(1)) Yes___ N/A___
(Only N/A if bidding under individual legal name)
- Addenda(s) included (if applicable) and signed Yes___ N/A___
- Information about Proponent (as per Section 7 and Appendix) Yes___
- Proposal name and number on front of envelope Yes___
- Proponent name on front of envelope Yes___
- Proposal closing date on envelope Yes___
- **Two copies of proposal** (One copy unbound) enclosed 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. Yes___

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 a 2016 or 2017 model year ¾ Ton 4X4 Heavy Duty Long Wheel Base Truck with Plow as described in the attached specifications and will accept in full payment the following proposal bid, **in accordance with Section 3 (E) – Tender Submission Requirements – Proposal Price.**

Legal Name of Contractor (Section 11): _____

ADDRESS _____

STREET

CITY/TOWN

PROVINCE _____

POSTAL CODE _____

TELEPHONE NUMBER () _____ FAX () _____

¾ Ton 4X4 Truck with plow as specified (Appendix A), excluding HST (figures) \$ _____

Proposal Bid (Net of Trade-In) _____ DOLLARS (Written)

And _____ CENTS (Written) (Verify above calculation for accuracy)

Delivery Date after Written Order (P.O.) in calendar days: _____

Ensure that the written price and the price in numbers (figures) agree and any changes are corrected by crossing out the item being changed with the changed information entered and initialed by the authorized bidder. Changes not corrected in this matter will cause the bid to be rejected. Bid Prices are before HST.

Sign (Bidder Official – Section 5)

Date

Sign (Witness)

Print (Bidder Official)

Print (Witness)

Sign (Bidder Official – Section 5)

Date

Sign (Witness)

Print (Bidder Official)

Print (Witness)



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Appendix A - Specifications

SPECIFY

MODEL

2016 or 2017, new, ¾ Ton 4x4 heavy duty long wheel base truck with plow
10 000 lb. GVW Min.

ENGINE

Engine shall 350 CI Min
HD Air Filter
Full flow oil filter
Oil cooler
Block heater installed

TRANSMISSION

Automatic HD
HD two speed transfer case
HD Aux. External Cooler
Overdrive lockup to be deactivated

FRONT AXLE

4 500 lb. capacity axle min
4 500 lb. capacity leaf type springs or equivalent min.
HD shocks
Automatic front wheel locking hubs

REAR AXLE

7 500 lb. capacity axle positive traction min.
7 500 lb. capacity leaf springs min.
HD Shocks
Auxiliary rear springs
Warranty to cover frame and springs

BATTERY

Dual HD maintenance free type

ALTERNATOR

HD 130 amps. Min.

BRAKES

Power disk front and rear

STEERING

Power



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WHEELS AND TIRES

LT 245/75 R16 Tubeless type min. _____

Tread to be on/off road, 10 ply. _____

ACCESSORIES

HD full foam bench seat adjustable _____

HD cloth covering _____

Dual sun visors _____

Dual electric horns _____

Arms rest both doors _____

Full instrument gauges _____

Two swing back mirrors _____

HD fresh Air Heater / AC _____

HD two speed wipers with delay _____

Antifreeze 40 below test _____

Front wheel automatic locking hubs _____

HD Heater & Defroster _____

Floor mats _____

Single fuel tank _____

Sound insulated cab _____

All lights and reflective devices as per Federal Safety Standards _____

Undercoated protected Ziebart or equivalent _____

Automatic Electric back up alarm _____

AM/FM radio _____

Front bumper with tow hooks installed _____

HD cooling system _____

Paint coca cola red with white top (or equivalent) _____

Spare tire and rim mounted same type as others _____

HD rear bumper step and toe _____

All tools, services, maintenance and operators manuals supplied _____

12 volt inverter _____

SNOW PLOW

Fisher minute mount plow _____

HD 7'6" blade, trip springs, snow foil and cutting edge _____

Electric over hydraulic with power angle and joy-stick control left side of cab dash _____

mounted for lift and angle _____

High / low headlight kit _____

Mounted and in working condition _____

BOX

To be HD long wheel base box _____

STANDARD EQUIPMENT

Ton include all other items listed as standards or manufacturers specifications _____



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WARRANTY

To include 12 month full warranty and additional 36 month power train warranty _____

Include operating hours under warranty _____

REGISTRATION/LICENSE/SAFETY INSPECTION

Loader is to be safety inspected prior to and dated the month of delivery, registered
And licensed to the Town of St. Stephen _____

BIDDER'S NAME _____

SIGNATURE _____

COMPANY NAME _____

TITLE _____

DATE _____

TELEPHONE _____ **FAX** _____

OWNER'S MANUAL

- Operator's manual
- Parts manual
- Service manual
- Repair Manual



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Appendix B -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 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 equipment or services or supervise the quality of work performed by subcontractors providing equipment or services.
- Other information as requested in Section 7 – Bidders Qualifications/Requirements or other sections of this tender.