



**TOWN OF LUNENBURG
RFP #TOL2022009**

REQUEST FOR PROPOSALS
Duke & Prince Street Reconstruction Design Services

Proposals will be received no later than:
2:00 p.m. LOCAL TIME
May 6, 2022

Addressed to:
Katie MacMillan, BBA
Business Coordinator
Town of Lunenburg
119 Cumberland Street
Lunenburg, NS B0J 2C0

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1.0 GENERAL TERMS AND CONDITIONS

Section 1 of this proposal document sets out a summary of requirements and outlines the general terms and conditions. The Town of Lunenburg shall be referred to as the “Town” throughout this document.

1.1 Purpose

The Town is seeking proposals with regard to the preparation of a tender package, complete with drawings, for the reconstruction of Duke Street (Lincoln Street to Townsend Street) and Prince Street (Cumberland Street to Fox Street), along with supplying Class “A” cost estimates and construction supervision as specified within this Request for Proposals (RFP).

This RFP sets out the instructions for submitting proposals and procedures and criteria by which the successful Proponent may be evaluated, subject to the Town’s overriding discretion to determine what is in its best overall interests.

1.2 Proposal Submissions

Any change notices, appendices and addenda issued for this RFP shall be considered part of this proposal document. The proposal is to be submitted, clearly marked with **“Duke & Prince Street Reconstruction RFP”** and proposal document number **TOL2022009**, to Katie MacMillan, Business Coordinator by email only at purchasing@townoflunenburg.ca before the closing time on the closing date (the “Closing Time”). Proponents must submit one (1) pdf copy. Erasure, overwriting or strike-outs must be initialed by the person signing on behalf of the proponent. Proposals will not be accepted after the closing date and time. The Town shall have the right in its absolute and unfettered discretion to determine whether a proposal has been received prior to the Closing Time. Proposal prices must remain open and available for acceptance by the Town for 90 days after the Closing Time. Proponents may not make modifications to their Proposals after the closing date and time. All proposals shall become the property of the Town of Lunenburg. It is the responsibility of each proponent to submit all required documents as outlined in this Request for Proposal. Failure to quote on all options set out may disqualify your proposal.

1.3 Irrevocable Offer

The Proponent hereby acknowledges that offers contained within your response to this RFP shall remain open for acceptance by the Town of Lunenburg for a period of not less than ninety (90) days from the Closing Time specified in Section 1.6. Proponents may not make modifications to their Proposals after the Closing Time.

1.4 Proposal Costs

The Proponent shall be solely and fully responsible for all costs associated with the development, preparation, transmittal, submission of proposal, and any work performed prior to official appointment by the Town of Lunenburg.

1.5 Municipal Contact for RFP

It shall be the Proponent's responsibility to clarify any points in question with the Town of Lunenburg prior to submitting the proposal. Deadline for all inquiries is April 29, 2022. Inquiries regarding the specifications of the RFP should be directed to:

Name Lisa Kendall
Title Acting Town Engineer
Email address lkendall@townoflunenburg.ca

Inquiries regarding the RFP process should be directed in writing only to:

Name Katie MacMillan
Title Business Coordinator
Email address purchasing@townoflunenburg.ca

If a Proponent discovers any inconsistency, discrepancy, ambiguity, error, or omission in this Request for Proposal, they must notify the Town of Lunenburg immediately in writing.

Any revision to this Request for Proposal will be issued as an addendum to all known potential Proponents.

Please check the Town website townoflunenburg.ca/purchasing.html to determine if any addendums have been issued prior to the submission deadline.

1.6 Opening

Proposals will only be received by:

Name: Katie MacMillan
Title: Business Coordinator
Email Address: purchasing@townoflunenburg.ca

One PDF copy of your proposal must be received by email prior to **2:00 p.m.** local time, **May 6, 2022**. Proposals will be signed by an official authorized to bind the Proponents will provide the name(s), title(s), address, and telephone number of the individual(s) to be contacted during the evaluation process. Proposals received later than the specified Closing Time may be returned unopened to the Proponent.

There will not be a public opening for this RFP. As this is a proposal document for which a number of criteria will be evaluated, only the names of the Proponents who have submitted a proposal will be identified after the opening, upon request.

1.7 Selection Process

Selection – Subject to Section 1.9 of this RFP, the Town will not necessarily accept the lowest price or any proposal. Any implication that the lowest price or any proposal will

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be accepted is hereby expressly negated. The successful Proponent(s) will be selected based upon evaluation criteria developed by the Town which in its sole discretion will determine the manner in which each response to this RFP meets the evaluation criteria. The proposal may be awarded to one Proponent only or more as the Town determines.

Evaluation Criteria – Subject to Section 1.9 of this RFP, each response to this RFP will be evaluated by the Town to determine the degree to which it responds to the requirements as set out herein. Because this is an RFP other factors in addition to price will be considered when submissions are evaluated.

Please indicate any requirements not met in your proposal with a brief description and reasons therefor.

The Town will read, review and evaluate each proposal. The below evaluation criteria table should be used as a reference only. The Town may in its sole and absolute discretion use or alter the below criteria or use some other evaluation criteria in its entirety.

| Evaluation Criteria | Percentage |
|--|-------------------|
| Price – value for money | 25% |
| Ability to complete all RFP components | 15% |
| Demonstrated understanding of project, work plan, methodology and schedule | 25% |
| Project timeline | 10% |
| Knowledge, experience, and technical competence of the Proponent and the proposed project team members as well as their ability to address the project scope | 25% |
| TOTAL | 100% |

1.8 Modification and Withdrawal of Proposals

Proposal prices must remain open and available for acceptance by the Town for 90 days after the Closing Time. Proponents may not make modifications to their proposals after this. Proponents will not have the right to change conditions, terms or prices of the proposal once the proposal has been submitted in writing to the Town. All proposals shall become the Town’s property. It is the responsibility of each Proponent to submit all required documents as outlined in this RFP.

1.9 Acceptance and/or Rejection of Proposals and Reservation of Rights

The Town is not under any obligation to award a contract, and reserves the right to terminate this RFP at any time for any reason, and to withdraw from discussions with all or any of the Proponents who have responded. The receipt and opening of a proposal does not constitute acceptance of any proposal.

The Town reserves the right to reject all or any proposals, and to not necessarily accept the lowest proposal. The Town may accept any proposal that may be considered in the best interests of the Town in its sole and absolute discretion. The Town also reserves the

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right in its sole and absolute discretion to waive any formality, informality, or technicality in any proposal. This includes the right to accept a proposal that is not strictly compliant with the instructions in the RFP document.

The Town reserves the right to negotiate, after the RFP Closing Time, with any Proponent to finalize service arrangements in the best interests of the Town.

The Town shall not be bound by trade or custom in dealing with and/or evaluating the responses to the RFP. The Town reserves the right to interpret any and all aspects of this RFP as may be most favorable to the Town.

Proponents will be deemed to have familiarized themselves with existing conditions and any other conditions which may affect performance of the contract. No plea of ignorance of such conditions as a result of failure to make all necessary examinations will be accepted as a basis for any claims for extra compensation.

Proponents waive any claim against the Town for compensation of any kind whatsoever as a result of its participation in or providing a response to this RFP process, including without limitation any claim for costs of proposal preparation or participation in negotiations, or for loss of anticipated profits, whether based in contract including fundamental breach, tort, equity, breach of any duty, including, but not limited to breach of the duty of fairness, breach of any obligation not to accept non-compliant proposals or any other cause of action whatsoever.

In submitting a proposal, the Proponent has accepted the reservation of rights as set out herein and agrees to be bound by same.

1.10 Governing Law and Jurisdiction

Any contract resulting from this RFP shall be governed by and interpreted in accordance with the laws of the Province of Nova Scotia. Any disputes shall be determined in the courts of Nova Scotia.

1.11 Proposal Form

The attached Proposal Form (3.0) must be completed and submitted with all proposals for consideration. Failure to complete and submit the proposal form could lead to the rejection of the proposal.

1.12 Freedom of Information and Protection of Privacy Act

The Town of Lunenburg is subject to the Municipal Government Act provisions relating to the freedom of information and protection of privacy provisions Freedom of Information and Protection of Privacy Act (FOIPOP) and associated Provincial legislation. Any proposal submitted to the Town may be required to be disclosed publicly if any request is

to be made under FOIPOP. All proposals received in response to this RFP will be considered public.

1.13 Insurance Requirements

The successful Proponent shall at its own expense obtain and maintain until the completion of the contract and provide the Town with a Certificate of Insurance providing proof of:

- a. Professional Liability insurance covering the work and services described in this Agreement for an amount not less than \$2.0 Million per occurrence;
- b. Comprehensive General Liability insurance for an amount not less than \$2.0 Million per occurrence;

1.14 Conflict of Interest

The Proponent warrants that no conflict of interest exists with any Town staff, Council or Committee member regarding their RFP submission or with the Town's evaluation process. Should a conflict of interest exist or arise, the Town at its sole discretion may disqualify the proposal submission and/or contract as applicable.

1.15 Nova Scotia Worker's Compensation

The successful Proponent must be registered and remain in good standing with NS WCB throughout the term of a contract issued pursuant to this RFP.

1.16 Human Rights Act

The successful Proponent shall ensure full observance of the NS Human Rights Act in all dealings related to this project.

1.17 Ownership of Data and Information

All data, other information and all resulting reports and materials prepared by the successful Proponent shall be the exclusive property of the Town who reserves ownership rights to all ideas, plans, concepts, etc.

2.0 SPECIFICATIONS AND REQUIREMENTS

2.1 Background and Overview

Duke Street and Prince Street are both located in the 'old town' section of Lunenburg, running parallel to each other. See the attached drawing in Schedule "A". Duke Street (Lincoln Street to Townsend Street), and Prince Street (Cumberland Street to Fox Street), are both in very poor condition and require reconstruction.

2.2 Scope of Work

The scope of work for this project will include a ready to issue tender package, complete with drawings, for the reconstruction of the Duke Street (Lincoln Street to Townsend Street) and Prince Street (Cumberland Street to Fox Street). A Class “A” cost estimate shall also be included as part of the package.

Construction supervision is also required as part of this project. We anticipate construction to occur late summer/early fall 2022.

2.3 Site Meeting

There will be an optional site visit/meeting held on **April 28, 2022 at 10am**. Please meet at the corner of Townsend Street and Prince Street. Any questions regarding the site visit should be directed to Lisa Kendall, Acting Town Engineer, at (902) 634-8992 ext. 2 or by email at lkendall@townoflunenburg.ca. There will be no meeting minutes or notes available from this site meeting.

2.4 Expectations

The Town’s expectations are that the successful proponent will complete drawings and tender documents that will take the Town to the construction phase of this project. The proponent will also provide construction supervision during the execution of the construction. The newly reconstructed Duke and Prince Street sections will be in accordance with all applicable codes and standards, with emphasis on meeting accessibility standards.

3.0 PROPOSAL FORM

NAME OF PROPONENT: _____

Do not include HST in the Amount of Proposal. All of the below pricing is to be in Canadian Dollars.

Amount of Proposal..... \$ _____

HST..... \$ _____

Total..... \$ _____

Please attach the following additional information:

- Start and end time required to complete the.
- Two relevant work references and contact phone numbers.

Mailing Address _____

Phone Number _____

Email Address _____

Signature _____

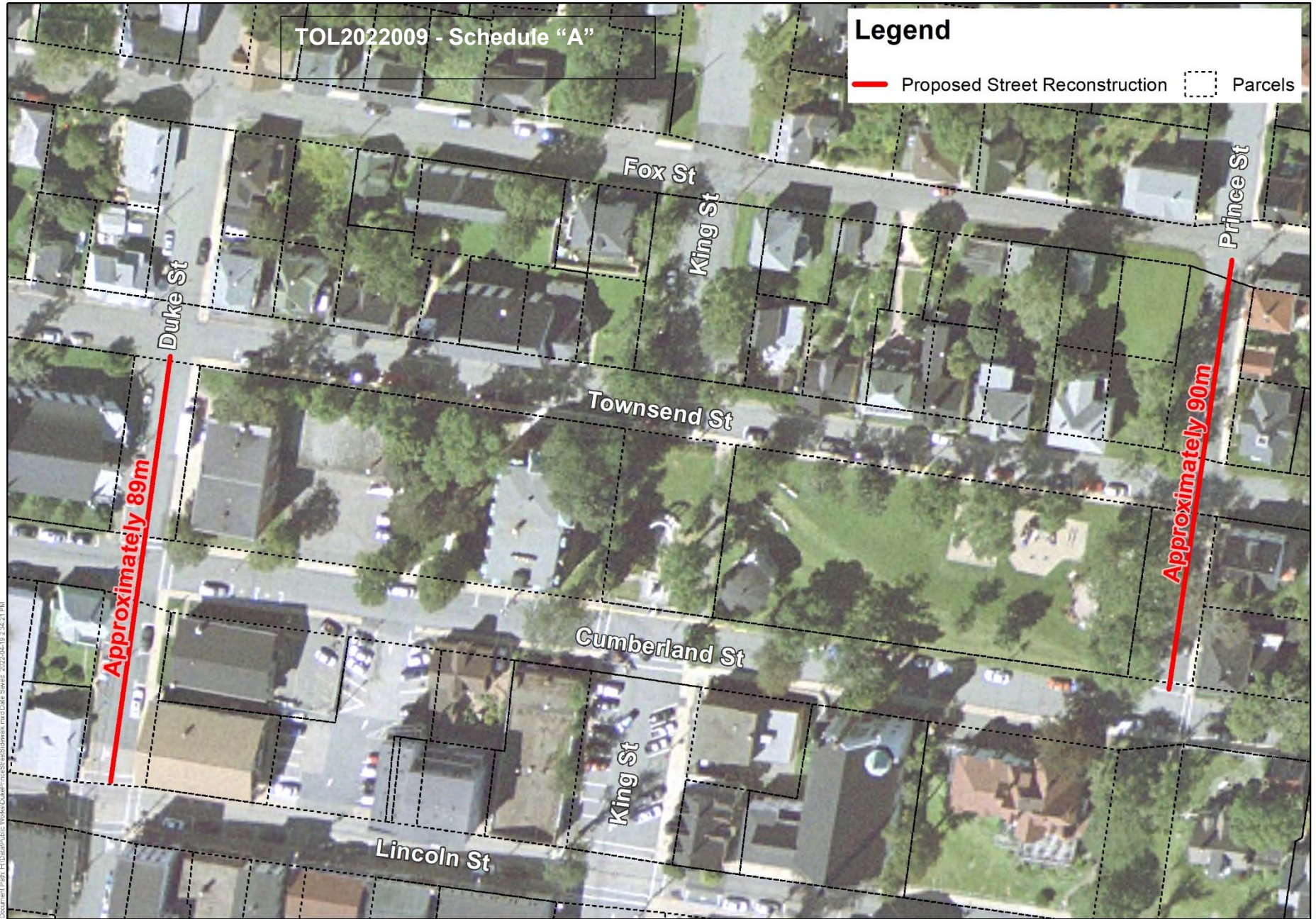
Print Name & Title _____

Date _____

Witness _____

Date _____

Details of Proposal – please attach your submission details as required in this RFP.



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Maps are for graphical purposes only. They do not represent a legal survey. While every effort has been made to ensure that these data are accurate and reliable within the limits of the current state of the art, the Town of Lunenburg cannot assume liability for any damages caused by any errors or omissions in the data. Users of our maps and other analysis products are solely responsible for interpretations made from these products.

TOWN OF LUNENBURG Duke & Prince Streets

