

TOWN OF MANNING TENDERING POLICY 2006

Date Approved: September 13th, 2006

The Town of Manning believes in providing a process
Whereby anyone seeking to provide goods and services to the Town of Manning
Has an opportunity to do so in a fair and equitable manner.

The Town of Manning, given current manpower and
Budgetary restraints, proposes to do this by establishing
A tender policy and procedure to follow when seeking
Bids for goods and services.

Signed: _____

Mayor Dan Paulovich

Signed: _____

Chief Administrative Officer

Date: _____

Sept 21/06

Date: _____

Sept 13th/06.

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1. All projects with an estimated value of \$50,000 shall be put to tender either invitational or open, depending on size and scope of the project, (less than 10,000 shall be at CAO's discretion).
2. On projects where grant funding requires it, projects will be put to tender. If the project is contingent on grant funding, efforts will be made to have the tender closing date, after grant approval is received. However, if this is not practical to do, the request for tender will state that "TENDER ACCEPTANCE IS SUBJECT TO NOTIFICATION OF GRANT APPROVAL".
3. Bid packages will be prepared by the Town or engineering consultants and openly advertised, or invitations may be extended, to interested parties. A registry of all bidders will be compiled with their mailing address and contact details.
4. Calls for tenders will specify that:
 - Requests for additional information must be made in writing and the Town/engineer will provide written response to all tender package recipients.
 - Bidder is obliged to examine the contract documents, the work site, and inform self of all existing conditions and limitations.
 - Town waives responsibility respecting information provided to bidders.
5. In the event a tender procedure is disputed the Town may, if there is still enough lead time, reject all tenders and call for new tenders in a new package clarifying the ambiguity/issue that caused the dispute.
6. Town tender documents may/will contain the follow Disclaimer Clause:

"The Town reserves the right to accept or reject any or all tenders and to waive irregularities and informalities at its discretion. The Town reserves the right to accept a tender other than the lowest tender without stating reasons. By the act of submitting its bid, the Bidder waives any right to contest in any legal proceeding or action the right of the Town to award the work to whomever it chooses, in its sole and unfettered discretion, and for whatever reasons the Town deems appropriate. Without limiting the generality of the foregoing, the Town may consider any other factor besides price and capability to perform the work that it deems in its sole discretion to be relevant to its decision including but not limited to the following:

 - Price;*
 - Capability to perform work;*
 - Any past experience with bidder, or lack thereof;*
 - Results of any reference check done by the Town of Manning;*
 - Information relating to the financial state of bidder, however obtained;*
 - Projected commencement date;*
 - Length of construction period;*
 - Specific time for construction;*
 - Any other factor the Town deems pertinent in the selection process."*

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7. Opening bids will be held in public and all bidders are invited to attend.
8. If a contractor's bid is accepted and the contractor refuses to take the contract it may be offered to the next acceptable bidder.
9. Late tenders shall be immediately returned unopened.
10. Restrictions:
 - No tenders, quotations, or supply of services shall be considered from any contractor or supplier of services who is currently in litigation with the Town or who personally or through their business, is indebted more than \$50.00 to the Town for taxes, utility accounts and or any other accounts receivable. This includes but is not limited to sole ownership, partnerships, and limited or incorporated companies.
 - In the case of property taxes, "indebted" would include arrears from previous years as well as the current year's taxes not being paid by the deadline.
 - The following exceptions to clause "A" will apply where:
 - i) There is only one supplier available and then it requires approval of the CAO.
 - ii) There is a legal obligation to do so such as a current contract or inter-municipal agreement
 - iii) In the case of emergency (where safety and preservation of Town infrastructure is at risk)
 - Should an existing contractor or supplier of services be in default of more than \$50.00 with the Town they will be notified and asked to supply the Town with "written permission to arrange for payment" of the arrears.
 - Upon the initiation of litigation, the CAO shall notify the contractor or supplier of services of this policy.
 - Upon any contractor or supplier of services becoming indebted to the Town for more than \$50.00, the CAO shall make reasonable efforts to notify the contractor or supplier of services of this Policy.