

1. LMS Community Marina Visitor Facilities Project

RFP Process and Guidelines

1. Intent

This document outlines the guiding principles and approaches that LMS will take to tendering work for the LMS Community Marina Visitor Facilities Project.

2. Tendering Committee

A Tendering Committee is established with the following composition:

- XXXXXXXXXX– Project Manager
- Dave Ehrismann – Executive Director, LMS
- XXXXXXXXX – member of Board of Directors, LMS
- Others as required

There are four construction components of the LMS Community Marina Visitor Facilities Project. Each component, based on size of scope, costs, and time-lines will be reviewed and a determination of tendering method selected by the Tendering Committee. The Tendering Committee has the authority to select contractors and award contracts with dollar values of \$50,000 or less. For RFPs with values greater than \$50,000, the LMS Board of Directors will be provided via email the recommendations of the Tendering Committee, in which case the Tendering Committee's recommendation requires approval from three of the four Board executives.

3. Strategy for Tendering Process

A. General Principles

- Project Costs are to be incurred in a manner that is transparent, competitive and consistent with value of money principles.
- Suppliers will be selected through competitive process wherever possible and LMS will choose the supplier offering the best value.
- Funds will be applied to the project in a prudent and cost-effective manner.
- Local and regional community businesses will be encouraged to submit tenders.
- Members of the Tendering Committee and LMS Board of Directors shall follow proper code of conduct and disclose any and all potential conflicts of interest throughout the tendering process.

B. Methods of Tendering

- (i) Selective tender
- (ii) Public tendering
- (iii) Tendering by invitation

(i) Selective Tendering

An Expression of Interest (EOI) notice will be placed in local Ladysmith, Duncan and Nanaimo newspapers, inviting firms to register their interest in tendering for elements of the project. The notice will indicate the selection criteria applicable to the project and state that a shortlist will be made from those registering.

Registrants are evaluated from which a number of potential tenderers will be selected by the Tendering Committee. Requests for Proposal (RFP) will be issued to selected tenderers. The number of tenderers in this situation will typically be three to four.

(ii) Public Tender

An invitation to tender is advertised in local and regional papers and Builders/Contractors are asked to apply for tendering documents.

- All applicants registering interest to tender will be issued a RFP package
- 'The lowest or any tender will not necessarily be accepted' is a condition to be included in both the advertisement as well as tender documentation.

(iii) Tender by Invitation

A number of firms, chosen from a list of pre-qualified contractors, will be recommended by the Tendering Committee.

The selected firms will then be invited to tender for the project and tender documents will be issued.

This method of tendering is suitable for project components where there is a need to expedite the process or where special expertise is required.

C. Conditions of Tender

Tenders must provide written confirmation of a current Commercial General Liability Insurance Policy and WCB coverage. These policies must be maintained throughout project completion.

Under no circumstances will late tenders be considered.

In accordance with the Contribution Agreements of our financial supporters each contractor should be advised that in submitting its tender, the tenderer accepts that the LMS may be

required to disclose pertinent information in respect to the successful RFP, including the tender value.

D. Number of Tenders

LMS will include between 3 and 4 tenderers for each RFP and generally will not be prepared to approve the acceptance of a tender where fewer than three competitive tenders have been submitted.

However, approval may be given in exceptional circumstances such as:

- When the urgency of the work is of overriding significance.
- Where there are fewer than three firms who are capable of handling the particular project

E. Tender Price

The Tender Committee will ensure that the tender price is fully conforming to all criteria described in the documentation and that there are no conditions, exclusions or exceptions. Tenders must be provided on the approved documents.

Tenders may offer alternative tender prices providing a fully conforming price is submitted and conditional in that all technical details of the alternative are submitted including materials, timing, warranties and so forth.

F. Tendering to Contractors vs. sub-contractors

Consistent with emphasis on completion of the project on schedule and on budget, consideration will be given by the Tendering Committee to engaging local and regional businesses, volunteer participation, lowering costs through donations and in-kind contributions and involvement of broad community members.

4. Formal steps in receiving tenders

A RFP, Tendering, Evaluation and Acceptance Checklist (attached) will track all written and verbal communications with potential contractors. LMS will have at least 2 persons present when tenders are opened. The date and time for receipt of tenders will be at a predetermined place, time and day.

The Tendering Committee will prepare documentation which will include the following:

- Proponent information
- Records of communications of proponents proposal
- Analysis of the bids
- Recommendations from the Tendering Committee

A. Tender, Evaluation and Acceptance Checklist

- Type of Tender process
- Advertisement
- Method of submission (Canada Post, Drop off)

- Cost
- Schedule
- Experience
- Quality
- Ranking of tenders
- Other Project specific criteria

B. The Tendering Committee documentation will include, but not be limited to, the following:

a) Pre Tender Estimate

Cost estimate
Date of estimate prepared

b) RFP Documents

Contract
Working drawings
Specification

c) Tender, Evaluation and Acceptance Checklist

d) Project Timeframe and Risks

The project timeframe, risks, schedule of rates and charges and other factors should be considered in the tender evaluation.

e) Value for Money

The tender evaluation should consider value for money as a key evaluation criterion. This will include factors such as life-cycle costs, alternative details/finishes offered, etc. This may result in the lowest tender not being recommended for acceptance.

C. Non-Conforming Tenders

- All non-conforming tenders to be noted with reasons provided, for example:
 - Exclusions from tender price
 - Qualification on materials/equipment which is different from those specified
 - Qualification on time for completion which is different to that specified
 - Qualification on price submitted

5. Award contract

Once the successful Tender is determined and approved, a letter of intent will be issued to the approved contractor. In addition, all unsuccessful tenders will be notified in writing within seven days after acceptance from successful Tender.