



**POLICY
SUBJECT:**

**FEF
CONSTRUCTION CONTRACTS BIDDING
AND AWARDS**

**APPROVAL DATE:
REVISION DATE:
PAGE:**

October 1997
1 of 1

1. PURCHASING PROCEDURES

Subject to the regulations the School Board in the discharge of its duties under this Act shall at all times use the following procedures:

- (a) All purchases of personal property and contracted services shall be made in the most economical manner possible.
- (b) Where the cost of personal property or services mentioned in clause (a) exceeds \$20,000.00 competitive offers for such property and services shall be obtained, except in emergency situations, by public tender.
- (c) All offers received pursuant to Clause (b) shall be tabulated for ready reference for presentation to the School Board.

PSA 70

2. BID DEPOSITORY SYSTEM - TENDERS FOR BUILDINGS

Specifications for new school buildings shall include the following provisions:

"Tenders submitted by the General Contractor shall comply with the requirements of the Winnipeg Bid Depository System operated and managed by the Winnipeg Construction Association.

No General Contractor's tender will be accepted unless it uses sub-trade tenders which have been submitted to the Winnipeg Bid Depository.

The General Contractor shall, in the tender, list the names of sub-contractors proposed to be used for all portions of the work named by sections in the specifications and listed hereunder."

3. TENDERS CONFORMING WITH SPECIFICATIONS

That all tenders for supplies and buildings, coming before the Board for acceptance, and the awarding of contracts, must conform in every detail to the Board's specifications. Provided that where a tender received has a defect, which does not affect the basic features of the tender any two of the following officers of the School Division - the Superintendent, the Secretary-Treasurer, Assistant Secretary-Treasurer, or the Director of Buildings - may prior to the meeting of the Board at which the tender is to be dealt with, have the tenderer correct the defect particulars of any such correction made to be reported to the Board when the tenders are being considered.

4. APPROVAL OF SCHOOL BOARD REQUIRED

No money shall be spent or authorized to be spent on any contract or agreement involving payment of the sum of \$20,000.00 or more without first obtaining the approval of the Board.



**ADMINISTRATIVE RULE/
PROCEDURE FEF-R
SUBJECT: CONSTRUCTION CONTRACTS BIDDING
AND AWARDS**

**APPROVAL DATE:
REVISION DATE:
PAGE:**

1 of 2

1. Deposit for Plans and Specifications

All bidders are required to make a deposit of an amount to be determined by the Consultant before plans and specifications for new buildings, additions or major alterations will be supplied to them. The deposit will be refunded upon return in good condition of said plans and specifications.

2. Tender Form

The Winnipeg School Division will supply all bidders with a Tender Form which will be filled out, signed by the bidder and placed in an envelope, sealed and marked, "Proposal for...", and delivered to the office of the Secretary-Treasurer of The Winnipeg School Division, 1577 Wall Street, E., for opening at the time indicated in the advertisement.

The General Contractor shall indicate the names of all sub-contractors proposed to be used for each of the trades listed on the Tender Form.

3. Tender Closing Date

Closing time for the tender for the General Contract and Sub-Trade tenders will be published in the Notice for Tenders.

4. Public Opening of Tenders

Tenders for new school buildings, additions to school buildings and renovations or alterations to school buildings in excess of \$500,000.00 shall be opened publicly by a committee of three which shall include the Chairperson of the Board (or designate) and at least two Administrative Officials.

5. Tender Openings - Administrative

All tenders other than those under 4. above shall be opened by three Administrative Officials comprised of the Secretary-Treasurer (or designate), the official (or designate), who is responsible for the expenditures of the funds, and an administrative official appointed by the Chief Superintendent of Schools.

6. Security Deposit and Performance Bonds

A security deposit on bid bonds in the amount of 10% of the tender will be required to accompany all tenders when the Division expects that the total tender related to building construction and/or renovations will exceed \$50,000.

The contract and bid bonds shall be in the form annexed hereto for each. The condition of the bid bond is that if the tender is accepted, the tenderer will sign a contract for the doing of the work within three days after being called upon to do so by the School Division and furnish an approved company contract bond for 50% of the contract price within 7 days after being called to do so by the School Division. It shall be the bidder's responsibility to provide the Bonding Company with a copy of the School Division bid bond form to ensure that the bonding requirements as set forth therein are complied with.



**ADMINISTRATIVE RULE/
PROCEDURE FEF-R
SUBJECT: CONSTRUCTION CONTRACTS BIDDING
AND AWARDS**

**APPROVAL DATE:
REVISION DATE:
PAGE:**

2 of 2

The contract bond shall remain in full force and effect and be held by the School Division as guarantee for the due performance of the contract. In the event of the Contractor failing to complete satisfactorily the contract, the Bonding Company will be called upon by the School Division to complete the contract (in accordance with the plans, specifications, and directions of the Consultant,) and to the satisfaction of the Consultant, or the Bonding Company will pay to the School Division the amount of the said undertaking and agreement forthwith on demand. If on completion of the contract it is found that any part of the said amount is not required for such completion, such amount will be refunded to the Bonding Company. The bond will terminate twelve months after final certificate is issued by the Consultant.

7. Labour and Material Bonds

A Labour and Material Bond in the amount of 50% of the tender price will be required in addition to the Performance Bond in the case of all tenders over \$250,000.00.

8. Equivalent Materials

Materials, methods and equipment are specifically described and named in the specifications for the purpose of establishing a standard of materials and workmanship to which the Contractor shall adhere and not for the purpose of limiting selection.

Applications for approval of materials, methods or equipment, proposed as being equal to those specified must be in written form, submitted to the Architect not later than seven working days before tenders are due. Approval of proposed equivalents for this contract does not imply that such equivalents will be accepted for future contracts. The Architect's approval of equivalents shall not relieve the Contractor of the responsibility for the proper fitting of such equivalent with adjoining work and within the required space limitations, nor shall the Contractor be relieved from such guarantees and maintenance provisions as may be specified herein.

Alternative or separate prices specifically requested in the Specifications Instructions to Bidders, or by Addenda, shall be so stated on the tender form as a plus or minus amount to the tender price.

9. Awards

The School Division reserves the right to reject any or all tenders received. The lowest tender is not necessarily accepted. The Division also reserves the right to select sub-contractors and/or alternative materials. For purposes of selecting the General Contractor, only requested alternative materials or methods submitted with the tender will be considered.

10. Examine Drawings

Before submitting a tender, bidders should carefully examine the general conditions, drawings and specifications, visit the site of the works, fully inform themselves of all existing conditions and shall include a sum to cover cost of all items included in the contract.

11. Discrepancies and Addenda

Bidders finding discrepancies in, or omissions from the drawings, specifications or other documents or having any doubt as to the meaning or intent of any part thereof, shall at once notify the Consultant who shall send written instructions or explanations to all bidders. Neither the Owners nor the Consultant will be held responsible for oral instructions. Addenda, bulletins or corrections, issued during time of bidding are to be included in the tender and shall become a part of the contract.