

**THE CORPORATION OF THE CITY OF NIAGARA FALLS
ON BEHALF OF THE NIAGARA PUBLIC PURCHASING COMMITTEE
REQUEST FOR TENDER – RFT3-2019
SUPPLY & DELIVERY OF GRANULAR MATERIALS**

SPECIFICATIONS

1. MATERIALS

All materials quoted must meet current Ontario Provincial Standard Specifications including, but not limited to, the following:

- OPSS.MUNI 1010, “Material Specification for Aggregates – Base, Subbase, Select Subgrade, and Backfill Materials”
- OPSS.MUNI 314, “Construction Specification for Untreated Granular Sub-Base, Base, Shoulder and Stockpiling” as it applies to the quality and the physical characteristics of stone.

The stone and gravel shall be obtained from crushing into specified screened sizes, clean, sound, hard, durable rock, such as trap, limestone or granite or into a conglomerate of miscellaneous sizes. Dust shall be screened out in each specified size of crushed stone. Class “B” granular shall be pit run and not require crushing.

Specific Materials shall conform to the OPSS specification stated in the Form of Tender.

2. SUBSTANDARD MATERIALS

All materials must be satisfactory to the Engineer or responsible officer of the participating N.P.P.C. Agency. Only tests made by the Engineer or responsible officer, as the material is being loaded for delivery or made at the site of work, shall determine whether the material is acceptable.

Should the supplier offer, for acceptance at any time, material which is of inferior quality or not conforming to the specifications as outlined in their specification and the Form of Tender to the entire satisfaction of the participating N.P.P.C. Agencies, such material will not be accepted, but will be at once be taken off the works or job site by and at the expense of the supplier. Should the supplier refuse to remove any material not accepted, the participating N.P.P.C. Agency will have same removed and charge the cost of doing so to the supplier.

3. WEIGHTS

The measurement of Granular Material quantities will be determined by net weight as recorded by a Government Certified Weigh Scale. The supplier will be responsible for the weighing on a suitable Government Certified Weigh Scale by truck of such a size and capacity that the load may be weighed in one operation. Axle load weights will not be accepted for the payment of invoices covering truck deliveries.

Duplicate numbered weigh bills will be provided by the supplier. Both copies will be signed by a foreperson or responsible representative of the participating N.P.P.C. Agency.

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The onus will be on the supplier to ensure that the participating member N.P.P.C. Agency's foreperson or responsible officer is furnished with all certified delivery slips at the time of delivery. No payment for material will be made on delivery slips received in the mail, etc.

The participating N.P.P.C. Agency's Engineer or responsible officer has the right to verify the weight of any load of material. The supplier will be reimbursed for the cost of the extra haulage time and other expenses involved at the rate of ten (\$0.10) cents per tonne at the request of a weight check from the participating N.P.P.C. Agency's Engineer or authorized agent.

If the actual weights are less than that indicated on the delivery slips, the total weight delivered on that day will be reduced by a percentage equal to the percentage deficiency in the loads checked.

4. DELIVERY VEHICLES

Granular Materials shall be delivered as, when and where directed, by the participating N.P.P.C. Agency concerned. Each load shall be protected with a tarpaulin in such a manner that no loss will be encountered in transit due to weather or traffic conditions. The body of the delivery unit must be in good condition, and the tail gate secured so that no leakage of Granular Materials will occur during transit.

5. WORK SAFETY

All work performed under this contract must be carried out in accordance with the terms and conditions of the *Occupational Health & Safety Act, R.S.O. 1990,c.O.1* as amended.

6. EMERGENCY DELIVERIES

The participating N.P.P.C. Agencies will endeavour to order the materials required in advance, but in cases of emergency as identified by the participating N.P.P.C. Agencies, such emergency delivery must be made within one (1) hour of the request being received by the supplier.

7. F.O.B POINT

In most instances the Regional Municipality of Niagara and the City of St. Catharines will pick up Granular Materials at the supplier's quarry. The City of Niagara Falls and the Niagara Parks Commission will generally request that materials be delivered by the supplier. The Town of Fort Erie and the City of Welland may choose to pick up materials in certain instances and request delivery be made by the supplier in other instances.

In order to simplify the pricing under the various cases noted above, Tenderers are requested to submit prices for each of the Granular Materials F.O.B. the Tenderer's quarry or pit and loaded onto trucks. This same material price would apply, regardless of whether the participating N.P.P.C. Agency picks up the material or requests delivery by the supplier.

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To cover those situations where delivery is required, Tenderers are to submit a separate delivery price per tonne for each of the delivery locations listed below. This same price per tonne for delivery shall apply to any of the Granular Material items listed on the Form of Tender. Thus the total delivered price for a particular delivery location would equal the material cost per tonne plus the delivery cost per tonne times the number of tonnes delivered.

Please note that the City of Niagara Falls lists two (2) delivery zones rather than a specific delivery address and prices tendered for delivery to The Corporation of the City of Niagara Falls should allow for delivery to any job site within the particular delivery zone stated below.

8. REQUIREMENTS

Quantities shown on the Form of Tender estimated requirements only for **April 1, 2019 to March 31, 2020** and are not to be understood as firm order amounts. Each N.P.P.C. Agency will determine the quantities required and each Agency reserves the right to purchase more or less than the estimated quantities stated without penalty. All material will be supplied upon demand, as required by the work forces of each of the participating N.P.P.C. Agencies.

9. LOCATION OF PLANT

The Regional Municipality of Niagara, the City of Welland and the Town of Fort Erie (and if desired by any other participating N.P.P.C. Agency) will order material for pick up or request delivery of materials from the Tenderer's pit or quarry whose proximity to the job site provides the lowest set cost when both unit prices and delivery costs are considered.

Other participating N.P.P.C. Agencies may consider the proximity of the pit or quarry to the Agency's job site or delivery location as a transportation "cost" factor in the awarding of a contract (if any) from this RFT for all material that is to be purchased F.O.B. quarry or pit. This will be applied as the MTO subsidy rate at the job site or delivery location.

10. MEASUREMENT AND PAYMENT

Measurement and payment shall be made on the basis of tonnes (in bulk only) specified and accepted. Such payment shall constitute full compensation for the supply and delivery to the destinations and in the quantities and at the time specified in the Purchase Order.

Invoices from the supplier are to be sent to each participating N.P.P.C. Agency for any material ordered for delivery or pick up by that Agency. The participating N.P.P.C. Agencies will issue separate Purchase Orders or Agreements to cover the purchase of material for the year period stated above. The successful Tenderers are to deal individually with each participating N.P.P.C. Agency for all order placement and payment. The prices submitted on the Form of Tender shall be firm for each participating N.P.P.C. Agency for the duration of the contract.

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11. DELIVERY LOCATIONS

Delivery locations shall include, but not be limited to, the following locations:

- a) **City of Niagara Falls**
Zone 1 - Delivery to any job site north of the Welland River in the City of Niagara Falls
Zone 2 - Delivery to any job site south of the Welland River in the City of Niagara Falls
- b) **Town of Fort Erie**
1818 Pettit Road, J.L. Gibson Centre, Fort Erie, Ontario
- c) **Niagara Parks Commission**
Maintenance Centre, Niagara Falls, Ontario
- d) **City of St. Catharines**
283 Lake Street, St. Catharines, Ontario
or
320 Geneva Street, St. Catharines, Ontario
- e) **City of Welland**
Delivery to any job site within the municipal boundaries of the City of Welland, Ontario

12. PARTIAL PRICING

Tenderers may submit prices on any or all items on the Form of Tender.

13. INSURANCE

The successful Tenderers shall carry sufficient insurance to indemnify all participating N.P.P.C. Agencies, from and against all liability under statutes, laws and regulations, and in respect to all claims that may arise or be made against the participating N.P.P.C. Agencies, at common law or otherwise by reason of injury or death of any person or persons or employee or employees of the successful Tenderer and/or approved sub-contractor employed in the work.

14. PRICES

Prices tendered are to be in Canadian funds in metric units, per net tonne. Upon acceptance of the Tender by any participating N.P.P.C. Agency, prices as stated on the Appendix A: Form of Tender shall remain firm for the period **April 1, 2019 to March 31, 2020.**