



®

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Email: paul.audette@townofkearney.ca

Double surface Treatment / Single Surface Treatment

Tender Number	2024-03
Emailed Tenders will be received by:	paul.audette@townofkearney.ca
Tender Closing Date:	Monday, June 3-2024
Tender Closing Time:	2:00 pm
Tender Opening Time:	2:15 pm
Tender for:	Double Surface Treatment Total 1000m x 6m = 6000 sqm. Single Surface Treatment 1000m x 6m = 6000 sqm.

LOCATION : Surface Double/ Single
Clam Lake rd.

Town of Kearney

Note: Lowest or any tender not necessarily accepted

**TENDER FOR
DOUBLE SURFACE TREATING / Single Surface Treatment**

Tender Submission:

Tenders will be accepted via email in a single PDF file sent to the Project Manager.

Emails must bear the Tender number and name of the bidder in the subject line of the email. The Owner or the Consulting Engineer accept no responsibility whatsoever for any Tenders submitted by the bidder via email that may be sent prior to the Closing Time but are not received until after the Closing Time per the time stamp on the received email, are blocked by security systems or for any other reason whatsoever are not received.

The lowest or any Tender will not necessarily be accepted.

Tender Closing:

Tenders will be received via email up to the Closing Date and Time noted in this Tender. Each Tender will be marked with the time and date it is received.

The bidder is responsible to confirm receipt of Tender package prior to the closing of Tender.

Tenders received after the Official Closing Date and Time, regardless of manner of delivery, shall not be considered. The manner of delivery of any Tender shall be at the risk of the Bidder.

TENDERING PROCEDURES

1. All inquiries concerning the tender, prior to tender closing, shall be directed to:
Paul Audette, Public Works Superintendent, Town of Kearney
2. Notifications of Acceptance of Tender will be by a written form of notice, to the email address of the Contractor used on the Tender Form. The Date of Acceptance shall be deemed to be the date of receipt of the Acceptance Notice by the Contractor.
3. A tender may be voided by superseding it with a later tender or letter of withdrawal, prior to the closing date and time.

TENDER REQUIREMENTS

1. A certified cheque made payable to the Town of Kearney in the amount of 10% of the total tender must be submitted with the Tender, for deposit purposes.
Deposit cheques of the unsuccessful bidders will be returned within (10) calendar days of the tender opening.
The cheque of the successful bidder shall be retained until the municipality's acceptance of the completed work.
2. The successful bidder shall deliver a certified copy of the Firm's Public Liability and Property Damage Insurance Policy for the works, within ten (10) calendar days of receiving the Accepting Notice. Coverage shall be at least \$2,000,000 per incident in the name of the municipality. Failure to provide such proof shall result in cancellation of the Contract and forfeiture of the bid deposit (also see Form M-100 Subsections 106-1 and 106-2).
3. The successful bidder shall also deliver proof of Workplace Safety and Insurance Board coverage, within ten (10) calendar days of receiving the Acceptance Notice.
4. The successful bidder is required to notify the Ministry of Labour
5. The successful bidder is required to show compliance with Harmonized Sales Tax requirements.

BASIS OF REJECTION OF TENDER

Tenders not conforming to the following requirements will be disqualified:

1. Tender must be in possession of the Municipality by the closing date and time;
2. Tender must be on Tender Form provided
3. Tender must be signed and sealed by an authorized official of the bidding organization. A joint Tender must be signed and sealed by each company;
4. All items must be bid;
5. Tender must not be restricted or modified in any way.

GENERAL CONDITIONS

ONTARIO PROVINCIAL STANDARD SPECIFICATIONS AND FORM M-100

Form M-100 'General Conditions of Contract' and the Ontario Provincial Standard Specifications listed below apply on this Contract unless otherwise stated in the attached Tender documents. The particular revision in effect at the time the Contract is advertised shall apply. Where further detail or clarification is required, reference shall be made to the appropriate Ontario Provincial Standard Specification below or to Form M-100. Form M-100 and the following specifications are available for review at the Municipal Office. Copies may be obtained from the Ministry of Transportation in Huntsville, Ontario.

- i) OPSS Form 304 Construction Specification for single and double surface treatment.

PAYMENT, HOLDBACK AND COMPLETION

Paragraphs 1-4 inclusive, of Form M-100, Subsection 108-3 are cancelled and replaced by the following:

- i) Monthly payments will be paid for ninety per cent (90%) of the estimated value of the work performed, within thirty (30) calendar days of certification of the work estimate by the Contractor. The Municipality shall prepare them.
- ii) In addition to the normal ten per cent (10%) holdback, additional holdback may be retained to cover any written liens submitted during the Contract.
- iii) As soon as possible following the certification of completion of the Contract, the Municipality shall prepare the final estimate of payment and submit it for certification by the Contractor and any Sub-contractors. The Contractor shall return the certified final estimate and Worker's Safety Insurance Board clearances within thirty (30) calendar days.

- iv) Holdback not including an amount retained for unresolved claims will be released to the Contractor forty-five (45) calendar days after certification by the Municipality that the Contract is 'complete'. (See the Construction Lien Act)

PERFORMANCE EVALUATION

Failure to execute the Contract in a competent manner shall result in the bidder's disqualification from bidding on the Municipality's Contracts for a period of two (2) years.

ENGINEER, AUTHORITY, MINISTRY AND MUNICIPALITY

The terms Corporation, Inspector, Engineer, Authority and Ministry shall be deemed to be the Municipality.

SCOPE OF WORK

- i) The roadways to be surfaced are identified on Schedule attached hereto.
- ii) All Class 2 Aggregate must be made from a quarried product.

SURFACE TREATMENT

All work shall be done in accordance with Special Provisions No.'s 1 and 2 and OPSS 304 Standard Specifications.

BASE PREPARATION

The Municipality shall be responsible for preparation of the road base to Ministry standards for receiving the application of surface treatment

ADVANCE NOTICE

The Municipality shall be notified by the Contractor at least one (1) week prior to the commencement of application of surface treatment.

MEASUREMENT FOR PAYMENT

Measurement for binder will be by Tender units actually placed in the work and shall be determined by metre readings and/or tank dips.

Measurement for aggregates will be by Tender units actually placed in the work and shall be determined by weighing in accordance with OPSS-102.

BASIS OF PAYMENT

Payment for binder will be limited to a maximum of the Tender quantities plus five per cent (5%) and aggregate payment will be limited to a maximum of the Tender quantities plus ten per cent (10%).

SPECIAL PROVISION NO.1

Binder: Item No.

Class 2 Aggregate: Must be quarried product

DESCRIPTION

This special provision covers rolling of the granular surface and the double application of binder (HF-150S) and Class 2 aggregate without prime.

CONSTRUCTION

FIRST APPLICATION

The first application of binder shall be sprayed directly on the prepared granular surface at 1.65 kg/m. Class 2 aggregate shall be applied at 17 kg/m as directed by the Engineer and shall provide uniform coverage of the binder but shall not be excessive, Traffic shall not be permitted to cross the exposed binder at the centerline joint between lanes and construction traffic crossing the exposed binder shall be kept to a minimum. Spilled aggregate shall be carefully removed before the second application.

SECOND APPLICATION

The second application of binder shall be sprayed at 1.55 kg/m on the first course before the aggregate has been loosened by traffic. Class 2 aggregate shall be applied at 18 kg/m as directed by the Engineer. Traffic shall not be permitted to cross the exposed binder at the centerline joint between lanes and construction traffic crossing the exposed binder shall be kept to a minimum.

BASIS OF PAYMENT

Payment at the Contract price for the above items shall include full compensation for all labour, equipment and materials to do the work described above.

SPECIAL PROVISION NO. 2

Binder: _____ Item No. _____

Class .2 Aggregate: Item No. _____

Class 2 Aggregate: Must be quarried product

DETERMINATION OF BINDER AND AGGREGATE APPLICATION RATES

Subsection 304.04.05 of MTO Form 304 is deleted and replaced by the following:

EQUIPMENT

- i) The Contractor shall supply the following equipment:
- ii) A portable electronic balance: five digit display, accuracy 0.1%, capacity 10 kg, minimum platform size 300 mm x 400 -mm;
- iii) Sheet metal trays, each 500 mm x 500 mm, inside dimension with sides 7 mm in height. The sheet metal shall be a minimum of 18 gauge (approximately 1.3

- mm) with soldered corners;
- iv) One 5 kg test mass;
- v) A carpenter's level for levelling the balance.

SAMPLING FREQUENCY

The Contractor shall carry out field sampling to determine the binder application rates:

SPECIAL PROVISION NO.2 cont'd....

- i) **At the start of each day's work** if the Contractor provides two distributors, the binder application rate of one distributor shall be determined at this time;
- ii) **When approximately half of the total day's production is completed** if the Contractor provides two distributors, the binder application rate of the second distributor shall be determined at this time.

The Contractor shall carry out field sampling to determine the aggregate application rates at the start of each day's work.

-Procedure

Each section of road used to obtain the application rates shall be a maximum of fifty (50) m in length. The Contractor shall conduct field sampling in the presence of the Engineer to determine the binder and aggregate application rates as follows:

- i) Set up and level the balance in a firm location protected from the wind;
- ii) Check the tolerance of the balance with the five (5) kg test mass;
- iii) Obtain the tare mass (in kg to three (3) decimal places) of two (2) clean trays and record;
- iv) Place the two (2) trays in the centre of the lane being treated approximately thirty (30) cm apart and parallel to the centre line;
- v) Remove the first tray after the binder has been sprayed and before the aggregate has been applied;
- vi) Remove the second tray after the binder and aggregate have been applied and before rolling;
- vii) Obtain and record the gross mass (in kg to three (3) decimal places) of each tray;

viii) Carefully patch the marks left by the trays using the binder and aggregate specified in the Contract. The patches shall be rolled;

ix) Clean the trays for reuse

CALCULATIONS

The Contractor shall perform the calculations in the presence of the Engineer as follows:

- i) Obtain the net mass of the binder applied to the first tray.
Net Mass of Binder = Gross Mass - Tare Mass
- ii) Calculate the binder application rate correct to two (2) decimal places. Binder Application Rate (kg/m) = Net Mass of Binder :x 4
- iii) Obtain the net mass of aggregate on the second tray.
Net Mass of Binder and Aggregate = Gross Mass - Tare Mass
- iv) Obtain the Net Mass of Aggregate on the second tray.
Net Mass of Aggregate = Net Mass of Binder and Aggregate (from #3 above) - Net Mass of Binder (from #1 above)
- vi) Calculate the Aggregate Application Rate correct to one (1) decimal place.
Aggregate Application Rate (kg/rn) = Net Mass of Aggregate (from #4 above) x 4
- vii) The calculations shall be promptly reported to the Engineer

ACCEPTANCE

BINDER

The Binder Application Rate is acceptable when the test result is within the tolerance of five per cent (5%) of the desired rate and work may proceed.

The Binder Application Rate is unacceptable when the test result is outside the tolerance of five per cent (5%) of the desired rate and work shall stop. Field sampling shall be repeated in a maximum of fifty (50) m sections until two (2) consecutive acceptable test results or 'four (4) unacceptable test results are obtained.

When two (2) consecutive acceptable Binder test results are obtained, work may proceed. When four (4) unacceptable Binder test results are obtained before two (2) consecutive acceptable test results, the Distributor shall be permanently removed from the job.

AGGREGATE

The aggregate Application Rate is acceptable when the result is within the tolerance of ten per cent (10%) of the desired rate and work may proceed.

The Aggregate Application Rate is unacceptable when the test result is outside the tolerance of ten per cent (10%) of desired rate and work shall stop. Work may proceed when the application rate has been adjusted to the desired rate.

BASIS OF PAYMENT

Subsections 304.06.01 and 304.0.6.02 of MTO Form 304 are extended to include full compensation for all labour, equipment and materials required to determine the Binder and Aggregate Application Rates.

COMPLETION DATE

The Contractor shall complete the work by: **July 31-2024**

If the time limit above is not sufficient to permit completion by the Contractor working a normal number of hours, the Contractor shall make changes to permit work to be completed by the above date. Additional costs incurred shall be deemed to be included in the price bid for the work.

If the work is not completed by the above date, or by an amended date allowed by an approved extension of time, then the Contractor agrees to pay the municipality a sum of \$1000.00 per calendar day, for each day's delay in finishing the work, as liquidated damages. The Contractor has carefully examined the conditions and specifications attached and referred to in this contract, and has carefully examined the site and work location and understands and accepts the said conditions and specifications, and for the prices set forth in this tender, hereby offers to furnish all labour, equipment and materials, except as otherwise specified in the contract, to complete the work in strict accordance with said conditions and specifications.

Attached to this tender is a Certified Cheque or Bank Draft, in the amount of 10% of the total tender, made payable to the Town of Kearney. The proceeds of this cheque shall, upon acceptance of the tender, constitute a deposit which shall be forfeited to the Town of Kearney if the Contractor fails to perform the work in accordance with the conditions and specification referred to or contained in this tender. Invoice must be submitted to the Town of Kearney thirty (30) calendar days from completion of work

It is agreed that the tender quantities are estimated only and may be increased or decreased by the municipality without alteration of the tender price. However, such increases or decreases shall not exceed 20%

It is also agreed that, upon acceptance in writing the municipality, this tender form becomes the "Agreement for the performance of work" between the Contractor and the municipality.

This offer shall be irrevocable for a period of thirty (30) calendar days following the date of the tender opening.

I/We (the Contractor) promise to perform the work without undue delay and complete the work by:

_____.

Name of Individual or Firm
(hereinafter referred to as the "Contractor")

Address:

Signature of Person Signing for Firm:

Date:

Office of Person Signing for Firm:

Witness or Firm Seal:

FIGURE #1 TENDER
SURFACE TREATING
TENDER NUMBER 2024 - 03

The following equipment will be required to complete the project; Wobble Wheel, Packer and Water Truck plus operators. The Town of Kearney will shape and grade the road

ITEM #	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
1. double surface treat	Clam Lake 1000m x 6m	M2	6000 M2		
2.	Traffic Control	LS			
3. single surface treat	Echo Ridge Clam lake to 822-Echo Ridge	M2	6000 M2		
	ADD HST				
	TOTAL ESTIMATED TENDER				

All work completed by **July 31-2024**