



I N V I Z I J

May 26, 2022

The Corporation of the Municipality of South Huron
322 Main St. S
Exeter, Ontario
N0M 1S6
Sent via e-mail only

ATTENTION: Mr. Dan Best, CAO, Municipality of South Huron

SUBJECT: Request For Tender for SHRC Phase 1 Upgrades. SH-22-RS003
94 Victoria St. E., Exeter, ON
Invizij Project No. 22-012

Dear Mr. Dan Best,

Tenders for the above-noted project closed electronically by the Municipality on Thursday May 25, 2022 @ 2:00pm local (Exeter) time, through the electronic website Bids & Tenders:

<https://bids.bidsandtenders.ca/Module/Tenders/en>

Immediately afterward, .pdf's of the two submitted bids were forwarded to our office by the Municipality. Within the Municipality's Request For Tender document, the following items were required to be submitted by all bidders:

- Completed Schedule "A" Items and Prices
- Bidder Information Form
- Ability and Experience Form
- Subcontractor Form
- Form of Tender and Agreement
- Scanned copy of the Bid Deposit (Certified Cheque or Bid Bond) OR Digital Bid Bond
- Scanned Copy of the Agreement to Bond OR Digital Agreement to Bond

Page 1 of 4



Review of Bid No. 1 - Submitted by **Elgin Contracting and Restoration Ltd.**:

- This contractor was present at the mandatory pre-bid site visit
- All required submitted items were provided and completed. The bid is considered bona-fide.
- Recognized the 2 Municipality issued Tender Addendums
- Of the 3 identified projects submitted with the "Ability & Experience Form" none of them identified any work to do with arenas. Further, the largest value project identified was only \$3.6M. This does represent a concern. We would recommend that the Municipality reach out to the references identified to discuss this Bidder's performance. Item 1.16 of the Municipality's Request for Tender, does state the Municipality can reject a bid on the basis it does not deem the bidder capable of performing the work, however there have been many case law precedents where Owner's, attempting to not accept the lowest bid, have been successfully sued by the low bidder. The reasons are complex but the basic reasoning is if you allow a firm to bid, unless there is a designated, specific scoring system identified and the results of the same can be provided to the bidder to substantiate such a position, you have to accept their bid. Prequalification avoids this. Should the Municipality decide to pursue this course of action, we would recommend it first be discussed with your Legal Dept.
- The submitted "Subcontractor Information Form" identified only Clark Multi-Trade as the Mechanical & Electrical Subcontractor. Given the scope of this project (e.g. poured concrete, masonry, structural steel, dasher boards, etc...) it is doubtful that this is the only subcontractor this bidder has subcontracted. However, again to try to disqualify the bidder based on the contents of this page we believe would represent a legal challenge and should the Municipality decide to pursue this course of action, we would recommend it first be discussed with your Legal Dept.
- Elgin's submitted pricing is as follows and calculates correctly:

Item #1: SHRC Upgrades:	\$4,440,000.00
Item #2: Contingency (10%):	\$ 444,000.00
Tender Sub-Total (All Sections):	\$4,884,000.00
"Harmonized Sales Tax (HST) 13% of Tender Sub-Total":	\$ 634,920.00
Total Tender Price (Sub-total + HST):	\$5,518,920.00



Review of Bid No. 2 - Submitted by Dicocco Contractors 2015 Inc.:

- This contractor was present at the mandatory pre-bid site visit
- The required "Agreement to Bond" was not submitted. Further, the specific page identifying this requirement was also not included in this bidder's submission. As such this bid is considered non-bona fide.
- Of the 3 identified projects submitted with the "Ability & Experience Form" none of them identified any work to do with arenas. Further, 2 of the project identified were under \$1M in value. This does represent a concern. We would recommend that the Municipality reach out to the references identified to discuss this Bidder's performance. Item 1.16 of the Municipality's Request for Tender, does state the Municipality can reject a bid on the basis it does not deem the bidder capable of performing the work, however there have been many case law precedents where Owner's, attempting to not accept the lowest bid, have been successfully sued by the low bidder. The reasons are complex but the basic reasoning is if you allow a firm to bid, unless there is a designated, specific scoring system identified and the results of the same can be provided to the bidder to substantiate such a position, you have to accept their bid. Prequalification avoids this. Should the Municipality decide to pursue this course of action, we would recommend it first be discussed with your Legal Dept.
- The submitted "Subcontractor Information Form" did not identify any sub-contractors stating they would be provided with the bid breakdown. Again, to disqualify the bidder based on the contents of this page we believe would represent a legal challenge and should the Municipality decide to pursue this course of action, we would recommend it first be discussed with your Legal Dept.
- Dicocco Contractors 2015 Inc submitted pricing is as follows and calculates correctly:

Item #1: SHRC Upgrades:	\$4,950,000.00
Item #2: Contingency (10%):	\$ 495,000.00
<hr/>	
Tender Sub-Total (All Sections):	\$5,445,000.00
"Harmonized Sales Tax (HST) 13% of Tender Sub-Total":	\$ 707,850.00
<hr/>	
Total Tender Price (Sub-total + HST):	\$6,152,850.00



Recommendation / Next Steps:

Based on our review of the submitted bids we recommend the following:

1. That the Municipality advise Elgin Contracting and Restoration Ltd to submit the original Bid Bond & Original Agreement to Bond, within the 5 business days identified in the Tender documents
2. Should the Municipality decide to proceed with the construction of this project, that they award the project to Elgin Contracting and Restoration Ltd for the following amount:

Item #1: SHRC Upgrades:	\$4,440,000.00
Item #2: Contingency (10%):	\$ 444,000.00
Tender Sub-Total (All Sections):	\$4,884,000.00
"Harmonized Sales Tax (HST) 13% of Tender Sub-Total":	\$ 634,920.00
Total Tender Price (Sub-total + HST):	\$5,518,920.00

3. That the Municipality prepare, and issue to Elgin Contracting and Restoration Ltd a letter of intent to commence construction, while the CCDC 2 Construction Contract is being prepared to allow them to get underway.

Please advise if you have any questions or concerns regarding this recommendation.

Yours truly,

Bob Prince, Principal
BP/bs

FORM OF TENDER

TENDER CLOSING DATE:

TENDER FOR:
Huron.

within the Municipality of South

The Tender submitted by Elgin Contracting and Restoration Ltd., holding the
(Print Name of Signing Authority for Firm)

position of CEO, for the firm of
(Print Position of Signing Authority for Firm)

Elgin Contracting and Restoration Ltd., a company duly incorporated
(Name of Firm or Individual Bidding)


under the laws of Ontario, and having its head office at
(Province)
10 Barrie Blvd. St. Thomas, ON N5P 4B9

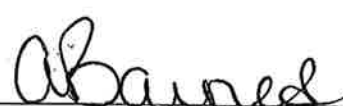
(Address of Firm or Individual Bidding)

hereinafter called the "Bidder", has been provided to The Corporation of the Municipality of South Huron, hereinafter called the "Municipality", to the attention of:

Sandy Becker, General Manager of Financial Services/Treasurer
322 Main Street South, PO. Box 759,
Exeter, Ontario N0M 1S6

I/We, the undersigned, have carefully read and examined the general provisions, specifications and the terms and conditions described in this Tender and have carefully examined and investigated the sites and locations of the work to be done under this Contract. I/We, the undersigned, understand and accept the said conditions, provisions and specifications of the Tender documents, and hereby offer to furnish all labour, equipment and material, except as otherwise specified to complete the work in strict accordance with the Tender documents, for the prices set forth in this Tender Form.

Bidder signature 

Witness
signature* 

* Please use the information in Schedule A and B in Tender document to complete this template. Complete all applicable fields.

* In lieu of a witness signature a corporate seal may be provided.

Schedule A – Items and Prices

Item	Unit
Item #1: SHRC Upgrades	4,440,000
Item #2: Contingency (10%)	444,000
Tender Sub-Total (All sections)	\$4,884,000
Harmonized Sales Tax (HST) 13% of Tender Sub-Total	\$ 634,920
Total Tender Price (Sub-Total + HST)	\$5,518,920

Schedule B – Contract Itemized Breakdown and Prices (to be submitted 48 hours after tender closing)

DIVISION 01 – GENERAL REQUIREMENTS

01 10 10	General Instructions	\$_____
01 21 00	Allowances	\$_____
01 26 00	Valuation of Changes to Work	\$_____
01 29 73	Schedule of Values	\$_____
01 31 19	Meeting and Progress Records	\$_____
01 32 16	Construction Schedule	\$_____
01 33 00	Submittals	\$_____
01 33 23	Shop and Interference Drawings	\$_____
01 42 13	Abbreviations	\$_____
01 45 00	Quality Control	\$_____
01 52 00	Temporary Facilities and Controls	\$_____

01 60 00	Products and Workmanship	\$ _____
01 62 00	Substitutions and Product Options	\$ _____
01 74 00	Environmental Protection and Cleaning	\$ _____
01 74 19	Waste & Materials Management	\$ _____
01 77 00	Contract Closeout and Take-over Procedures	\$ _____

DIVISION 02 – SITEWORK

02 41 00	Demolition	\$ _____
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DIVISION 03 – CONCRETE

\$ _____

DIVISION 04 – MASONRY

04 20 00	Masonry	\$ _____
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DIVISION 05 – METALS

05 50 00	Miscellaneous Metals	\$ _____
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DIVISION 06 – WOOD AND PLASTIC

06 08 99	Rough Carpentry	\$ _____
06 20 00	Finish Carpentry	\$ _____
06 20 10	Installation of Doors and Finish Hardware	\$ _____
06 40 00	Architectural Woodwork	\$ _____

DIVISION 07 – THERMAL AND MOISTURE PROTECTION

07 05 00	General Requirements for Building Envelope	2	\$ _____
07 11 13	Bituminous Dampproofing		\$ _____
07 13 00	Under-slab Vapour Retarder		\$ _____
07 20 00	Building Insulation and Air/Vapour Barrier		\$ _____
07 46 50	Prefinished Steel Siding		\$ _____
07 52 01	Modified Bitumen Membrane Roofing		\$ _____
07 62 00	Sheet Metal Flashing & Trim		\$ _____
07 84 00	Firestopping and Smoke Seals		\$ _____
07 92 00	Sealants		\$ _____

DIVISION 08 – DOORS AND WINDOWS

08 11 00	Hollow Metal Doors, Frames, Panels and Screens	\$_____
08 11 16	Aluminum Doors & Frames	\$_____
08 42 29	Automatic Entrance Doors	\$_____
08 71 00	Finishing Hardware	\$_____
08 80 00	Glazing	\$_____

DIVISION 09 – FINISHES

09 21 16	Gypsum and Siliconized Gypsum Board	\$_____
09 30 13	Ceramic & Porcelain Tile	\$_____
09 33 00	Concrete Floor Sealing	\$_____
09 51 00	Acoustic Ceilings	\$_____
09 65 13	Resilient Base	\$_____
09 65 23	Skaters Flooring	\$_____
09 91 00	Painting	\$_____

DIVISION 10 – SPECIALTIES

10 21 13	Metal Toilet Partitions	\$_____
10 28 00	Shower and Washroom Accessories	\$_____
10 51 13	Lockers	\$_____

DIVISION 11 – EQUIPMENT

11 69 00	Protective Netting	\$_____
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DIVISION 12 – FURNISHINGS

12 48 43	Foot Grilles	\$_____
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DIVISION 13 – SPECIAL CONSTRUCTION

13 18 10	Dasher Boards	\$_____
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DIVISION 14 – NOT USED**DIVISION 31 – EARTHWORK**

31 05 00	Common Work Results for Earthwork	\$_____
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31 10 00	Site Preparation	\$_____
31 22 00	Rough Grading	\$_____
31 23 33	Excavation, Fill & Compaction	\$_____

DIVISION 32 – EXTERIOR IMPROVEMENTS

32 05 00	Common Work Results for Exterior Improvements	\$_____
32 16 00	Concrete Sidewalks, Curbs & Gutters	\$_____

DIVISION 33 – UTILITIES

33 05 00	Common Work Results for Utilities	\$_____
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Bidder Information Form

Bidders must complete this form and include with the Tender Submission.

Please ensure all information is legible.

1	Company Name	Elgin Contracting and Restoration Ltd.
2	Bidder's Contact Information	Matthew Pedros
3	Supervisor's Contact Information (if applicable)	
4	Mailing Address	10 Barrie Blvd. St. Thomas, ON N5P 4B9
5	E-mail Address	admin@elgincontracting.com
6	Office Phone #	519-633-9969
7	Cell #	
8	Website	www.elgincontracting.com
9	WSIB Account # (if applicable)	8248206
10	HST Account #	871672184
11	Addenda # received	2

Bidder: Elgin Contracting and Restoration Ltd. **Date** May 26, 2022

Signature: 

Ability and Experience Form

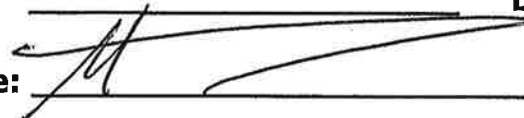
The Bidder shall provide below information on previous experience in this class of work successfully undertaken by the Bidder's firm in the last three years.

# 1	
Reference Name	St. Mary's Catholic School Addition
Contact & telephone #	Anne Marie Nicholson 519-345-2440
Term (# years)	1 year
Total Value (annual)	\$3,664,250.00
Description of Work	12,000 sqf addition to existing school
Additional Comments (optional)	Site works, structural, glazing, M&E, masonry, finishes
# 2	
Reference Name	Middlesex Operations Centre
Contact & telephone #	Chris Traini ctraini@middlesex.ca
Term (# years)	1 year
Total Value (annual)	\$1,798,000.00
Description of Work	5,200 sqf steel addition to occupied building
Additional Comments (optional)	Site works, structural, M&E, curtain walls, finishes, epoxy floor
# 3	
Reference Name	SERC/UTES YMCA Daycare Facilities
Contact & telephone #	Laurel Mitchell 519-527-0111
Term (# years)	1.5 years
Total Value (annual)	\$3,276,500.00
Description of Work	Complete turnkey construction 2 new daycare facilities
Additional Comments (optional)	Site works, structure, masonry, M&E, finishes

Bidder: Elgin Contracting and Restoration Ltd.

Date May 26, 2022

Signature:



Subcontractor Information Form

Specify Option 1 or Option 2, below:

☐ Option 1 –No Subcontracting will be utilized in order to meet the terms of this tender agreement.

or

☒ Option 2 - The Subcontractors listed below will assist in meeting the terms of this tender agreement:

Subcontractor Information:

Name	CLARK MULTI TRADE
Address	74816 GOSHEN LINE VARNA, ON
Work Type to be Subcontracted	MECHANICAL/ELECTRICAL
Scope of Work	MECHANICAL/ELECTRICAL.

Note: If additional contractors will be used please include additional pages.

Bidder: Elgin Contracting and Restoration Ltd.

Signature:



Date: May 26, 2022

Form of Tender

TO: Mayor and Council of the Municipality of South Huron

RE:

Request for Tender for the Provision of:

1. No person(s), firm or corporation, other than the Bidder, has any personal interest in this Tender or in the award for which this Tender is made;
2. No member of Council, no officer or employee of the Corporation is or will become interested directly or indirectly as a tendering party, partner, shareholder, surety or in any portion of the profits thereof, or in any of the monies to be derived, there from;
3. This Tender submission is made without any connection, comparison of figures, or arrangements with, or knowledge of any other corporation, firm or person making a Tender submission for the same and is in all respects without collusion or fraud;
4. The Bidder confirms they have read and understood the Municipality of South Huron' Health and Safety policy and that they agree to fully comply with the Municipality's policy as well as any applicable legislation relating to Health and Safety regulations; www.southhuron.ca
5. The Bidder acknowledges that they will comply with any relevant legislation relating to accessibility including but not limited to the Accessibility for Ontarians with Disabilities Act (AODA) and Ontario Disability Act (ODA).
6. The Bidder agrees, having carefully examined the specifications and location of the work and understanding all conditions, to hereby offer to enter into a contract to provide the said work, for the Corporation of the Municipality of South Huron complete and available in accordance with the specifications of the Municipality outlined in the Tender document, related schedules and Addenda No. 1 to 2 inclusive.
7. The Bidder agrees that if this Tender is accepted that the signature of its authorized official, with authority to bind the Bidder, as provided below is it's undertaking to commence and complete the indicated works as per these Contract Documents.

8. The Municipality hereby confirms and agrees with the Bidder, in consideration for the work being performed by the Bidder as specified, shall be paid for the said work in accordance with the prices set out in this Form of Tender and in accordance with the provisions set forth in the attached contract Documents.

9. The Bidder confirms that they understand that their submission may become public information, unless specifically requested that certain parts of the submission remain confidential. Permission will be granted at the Municipality's discretion and will be subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

10. Provisional and/or contingency items, if any, are at the discretion of the Corporation. There shall be no payment of these monies except for extra or additional work ordered in writing by the Corporation.

By signing this submission, I confirm I have read and understood the content and requirements of this Tender document and confirm I am a principal, or have been duly authorized by the principal/board, to sign on behalf of the above named bidder/corporation.

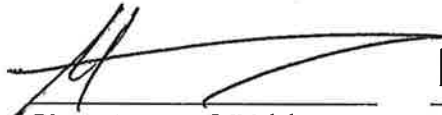
In Witness Whereof the parties hereto have hereunto set their hands and seal the day and year first above written or caused their corporate seals to be affixed, attested by the signature of their proper officers, as the case may be.

Elgin Contracting and Restoration Ltd.

Name of Bidder

CEO

Title


Signature of Bidder

May 26, 2022

Date

Agreement

The above tender being Tender #
accepted by the Municipality of South Huron:

is hereby

Dated at _____ this _____ day of _____, 2022.

George Finch, Mayor

Rebekah Msuya-Collison, Clerk

We have the authority to bind the Corporation

Note: This, when signed and offered by the Bidder, shall constitute a formal and binding contract, when accepted by Resolution and signed on behalf of the Municipality.

SH-22-RS003 - Request for Tender for SHRC Phase 1 Upgrades

Opening Date: May 2, 2022 4:25 PM

Closing Date: May 26, 2022 2:00 PM

Vendor Details

Company Name: Elgin Contracting and Restoration Ltd.
Address: 10 Barrie Blvd.
St. Thomas, Ontario N5P4B9
Contact: Matthew Pedros
Email: admin@elgincontracting.com
Phone: 519-633-9969 0
Fax: 519-633-9969
HST#: 87167 2184 RT 0001

Submission Details

Created On: Wednesday May 18, 2022 09:39:06
Submitted On: Thursday May 26, 2022 13:58:20
Submitted By: Matthew Pedros
Email: admin@elgincontracting.com
Transaction #: 168fec82-df1b-4471-83fa-74cb645cef96
Submitter's IP Address: 192.64.10.123

Documents

It is your responsibility to make sure the uploaded file(s) is/are not defective or corrupted and are able to be opened and viewed by the Municipality.

If the attached file(s) cannot be opened or viewed, your Bid submission may be rejected.

- Tender Submission - elginscan_20220526_125334.pdf - Thursday May 26, 2022 13:58:03

Bidders shall submit with their on-line bid either a Digital copy (preferred) or Scanned copy (pdf) of the Bid Deposit in the amount as specified in the bid document, in one of the following options:

Option #1 Digital Bid Bond (preferred)

Option #2 Scanned Bid Bond (pdf)

Option #3 Scanned Certified Cheque (pdf)

Option #4 Scanned Bank Draft (pdf)

- Bid Deposit - ElginContractingAgreement874_289703.zip - Wednesday May 25, 2022 11:45:11

Addenda, Terms and Conditions

The Bidder hereby acknowledges and agrees:

1. To provide all goods, services and construction, as more specifically set out and in accordance with the Owner's Bid Call Document, including but not limited to the scope of work, specifications, drawings, Addenda (if issued by the Owner), the terms and conditions, etc. stated therein, which are expressly acknowledged and made part of this Contract.
2. This Bid is made without any connections, knowledge, comparison of figures or arrangements with any other company, firm or person making a Bid for the same Work and is in all respects fair and without collusion or fraud.
3. I/WE do hereby Bid and offer to enter into a Contract to do all the Work as specified in the Bid Call Document(s) which shall include all costs but not limited to; freight, duty, currency, etc. in accordance with the prices and terms as submitted by the Bidder herein.
4. I/WE agree to furnish all required documentation as required by the Bid Call Document.
5. I/WE acknowledge and agree that any issued Addendum/Addenda forms part of the Bid Call Document.
6. I/WE certify that we are in full compliance with the Customer Service Standard of the Accessibility for Ontarians with Disabilities Act, 2005.
7. I/WE (including any related or affiliated entities and any principal thereof) have no unresolved litigation with the Owner.

☒ I/WE agree to be bound by the terms and conditions and have authority to bind the Corporation and submit this Bid on behalf of the Bidder. - Matthew Pedros, CEO, Elgin Contracting and Restoration Ltd.

The bidder shall declare any potential conflict of interest that could arise from bidding on this bid. Do you have a potential conflict of interest? ☐ Yes ☒ No

The Bidder acknowledges and agrees that the addendum/addenda below form part of the Bid Document

Please check the box in the column "**I have reviewed this addendum**" below to acknowledge each of the addenda.

File Name	I have reviewed the below addendum and attachments (if applicable)	Pages
SH-22-RS-003 - Addendum 2 Documentation Tue May 24 2022 03:06 PM	<input checked="" type="checkbox"/>	80
SH-22-RS-003 - Addendum 2 Tue May 24 2022 03:05 PM	<input checked="" type="checkbox"/>	1
SH-22-RS-003 - Addendum 1 - Site Visit Log Wed May 18 2022 01:45 PM	<input checked="" type="checkbox"/>	1
SH-22-RS-003 - Addendum 1 Wed May 18 2022 01:44 PM	<input checked="" type="checkbox"/>	2

AGREEMENT TO BOND

Bond Number: 1-602874-A

Tender Date: May 26, 2022

WHEREAS, **ELGIN CONTRACTING AND RESTORATION LTD.**, as Principal, has submitted a written tender to **MUNICIPALITY OF SOUTH HURON**, as Obligee, we, **DEFINITY INSURANCE COMPANY**, do hereby agree to become bound as Surety for **ELGIN CONTRACTING AND RESTORATION LTD.** in a:

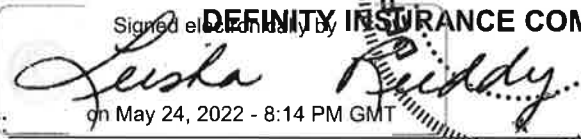

- **Performance Bond** totaling **100%** of the contract amount
- **Labour and Material Payment Bond** totaling **100%** of the contract amount

in connection with bid for **SH-22-RS003 SOUTH HURON RECREATION CENTRE UPGRADES PHASE 1. 6,781 SQ.FT. ADDITION AND INTERIOR RENOVATIONS** and conforming to the Instruments of the Contract attached hereto, for the full and due performance of the works described herein, if the Tender attached hereto is accepted by the Obligee.

This undertaking expires upon issuance of the above described bond(s) or upon expiration of **SIXTY (60)** days after closing date of tender, whichever is first attained.

Any suit filed against the Surety with respect to this Agreement to Bond must be initiated and duly served on the Surety within seven (7) months of the closing date of tender.

SIGNED, SEALED AND DATED 24TH DAY OF MAY, 2022.

Signed electronically by  **DEFINITY INSURANCE COMPANY**
Per: on May 24, 2022 - 8:14 PM GMT

Leisha Ruddy, Attorney-in-Fact

BID BOND

Bond Number: 1-602874

Bond Amount: 10%

ELGIN CONTRACTING AND RESTORATION LTD. as Principal, hereinafter called the Principal, and **DEFINITY INSURANCE COMPANY** a corporation created and existing under the laws of Canada and duly authorized to transact the business of Suretyship in **Ontario** as Surety, hereinafter called the Surety, are held and firmly bound unto **MUNICIPALITY OF SOUTH HURON** as Obligee, hereinafter called the Obligee, in the amount of **TEN PERCENT OF AMOUNT OF TENDER (10%)**, lawful money of Canada, for the payment of which sum the Principal and the Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally.

WHEREAS, the Principal has submitted a written bid to the Obligee, dated **26TH day of MAY, 2022** for

SH-22-RS003 SOUTH HURON RECREATION CENTRE UPGRADES PHASE 1. 6,781 SQ.FT. ADDITION AND INTERIOR RENOVATIONS.

The condition of this obligation is such that if the Principal shall have the bid accepted within the time period prescribed in the Obligee's bid documents, or, if no time period is specified in the Obligee's bid documents, within **SIXTY (60)** days from the closing date as specified in the Obligee's bid documents, and the Principal enters into a formal contract and gives the specified security, then this obligation shall be void; otherwise, provided the Obligee takes all reasonable steps to mitigate the amount of such excess costs, the Principal and the Surety will pay to the Obligee the difference in money between the amount of the bid of the Principal and the amount for which the Obligee legally contracts with another party to perform the work if the latter amount be in excess of the former.

The Principal and Surety shall not be liable for a greater sum than the Bond Amount.

It is a condition of this bond that any suit of action must be commenced within seven (7) months of the date of this Bond.

No right of action shall accrue hereunder to or for the use of any person or corporation other than the Obligee named herein, or the heirs, executors, administrators or successors of the Obligee.

IN WITNESS WHEREOF, the Principal and the Surety have Signed and Sealed this bond **24TH** of **MAY, 2022**

SIGNED, SEALED
in the presence of:

WITNESS (IF NO SEAL AFFIXED)

Signed electronically by
ELGIN CONTRACTING AND RESTORATION LTD.
on May 25, 2022 - 1:48 PM GMT

ELGIN CONTRACTING AND RESTORATION LTD.
CORPORATE
★
SEAL
PRINCIPAL

Signed electronically by
DEFINITY INSURANCE COMPANY
on May 24, 2022 - 8:14 PM GMT

Per: **Leisha Huddy, Attorney-in-Fact**
DEFINITY INSURANCE COMPANY
★

CCDC 220 – 2002 (Canadian Construction Documents Committee)

**FORM OF TENDER
PHASE 1 UPGRADES**

TENDER CLOSING DATE: May 26, 2022

TENDER FOR: RFT SH-22 RS003 SHRC within the Municipality of South Huron.

The Tender submitted by Dicocco Contractors 2015 Inc, holding the
(Print Name of Signing Authority for Firm)

position of GM, for the firm of
(Print Position of Signing Authority for Firm)

Dicocco Contractors 2015 Inc, a company duly incorporated
(Name of Firm or Individual Bidding)

under the laws of Ontario, and having its head office at
(Province)
550 McGregor Road, Sarnia, ON N7T 7H5

(Address of Firm or Individual Bidding)

hereinafter called the "Bidder", has been provided to The Corporation of the Municipality of South Huron, hereinafter called the "Municipality", to the attention of:

**Sandy Becker, General Manager of Financial Services/Treasurer
322 Main Street South, PO. Box 759,
Exeter, Ontario N0M 1S6**

I/We, the undersigned, have carefully read and examined the general provisions, specifications and the terms and conditions described in this Tender and have carefully examined and investigated the sites and locations of the work to be done under this Contract. I/We, the undersigned, understand and accept the said conditions, provisions and specifications of the Tender documents, and hereby offer to furnish all labour, equipment and material, except as otherwise specified to complete the work in strict accordance with the Tender documents, for the prices set forth in this Tender Form.

Bidder signature Adrian Kloet

Digitally signed by Adrian Kloet
DN: cn=Adrian Kloet, gn=Adrian Kloet, c=CA, Canada, o=Dicocco Contractors 2015 Inc.
Reason: I have reviewed this document
Location:
Date: 2022-05-25 15:29:04-00

Witness
signature* Carloyn

Digitally signed by Carloyn
DN: cn=Carloyn, gn=Carloyn, c=CA, Canada, o=Dicocco, e=carloyn@dicocco.ca
Reason: I am the author of this document
Location:
Date: 2022-05-25 15:29:04-00

* Please use the information in Schedule A and B in Tender document to complete this template. Complete all applicable fields.

* In lieu of a witness signature a corporate seal may be provided.

Schedule A – Items and Prices

Item	Unit
Item #1: SHRC Upgrades	\$4,950,000.00
Item #2: Contingency (10%)	\$495,000.00
Tender Sub-Total (All sections)	\$ 5,445,000.00
Harmonized Sales Tax (HST) 13% of Tender Sub-Total	\$ 707,850.00
Total Tender Price (Sub-Total + HST)	\$ 6,152,850.00

Schedule B – Contract Itemized Breakdown and Prices (to be submitted 48 hours after tender closing)

DIVISION 01 – GENERAL REQUIREMENTS

01 10 10	General Instructions	\$_____
01 21 00	Allowances	\$_____
01 26 00	Valuation of Changes to Work	\$_____
01 29 73	Schedule of Values	\$_____
01 31 19	Meeting and Progress Records	\$_____
01 32 16	Construction Schedule	\$_____
01 33 00	Submittals	\$_____
01 33 23	Shop and Interference Drawings	\$_____
01 42 13	Abbreviations	\$_____
01 45 00	Quality Control	\$_____
01 52 00	Temporary Facilities and Controls	\$_____

01 60 00	Products and Workmanship	\$_____
01 62 00	Substitutions and Product Options	\$_____
01 74 00	Environmental Protection and Cleaning	\$_____
01 74 19	Waste & Materials Management	\$_____
01 77 00	Contract Closeout and Take-over Procedures	\$_____

DIVISION 02 – SITEWORK

02 41 00	Demolition	\$_____
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DIVISION 03 – CONCRETE

\$_____

DIVISION 04 – MASONRY

04 20 00	Masonry	\$_____
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DIVISION 05 – METALS

05 50 00	Miscellaneous Metals	\$_____
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DIVISION 06 – WOOD AND PLASTIC

06 08 99	Rough Carpentry	\$_____
06 20 00	Finish Carpentry	\$_____
06 20 10	Installation of Doors and Finish Hardware	\$_____
06 40 00	Architectural Woodwork	\$_____

DIVISION 07 – THERMAL AND MOISTURE PROTECTION

07 05 00	General Requirements for Building Envelope	2	\$_____
07 11 13	Bituminous Dampproofing		\$_____
07 13 00	Under-slab Vapour Retarder		\$_____
07 20 00	Building Insulation and Air/Vapour Barrier		\$_____
07 46 50	Prefinished Steel Siding		\$_____
07 52 01	Modified Bitumen Membrane Roofing		\$_____
07 62 00	Sheet Metal Flashing & Trim		\$_____
07 84 00	Firestopping and Smoke Seals		\$_____
07 92 00	Sealants		\$_____

DIVISION 08 – DOORS AND WINDOWS

08 11 00	Hollow Metal Doors, Frames, Panels and Screens	\$_____
08 11 16	Aluminum Doors & Frames	\$_____
08 42 29	Automatic Entrance Doors	\$_____
08 71 00	Finishing Hardware	\$_____
08 80 00	Glazing	\$_____

DIVISION 09 – FINISHES

09 21 16	Gypsum and Siliconized Gypsum Board	\$_____
09 30 13	Ceramic & Porcelain Tile	\$_____
09 33 00	Concrete Floor Sealing	\$_____
09 51 00	Acoustic Ceilings	\$_____
09 65 13	Resilient Base	\$_____
09 65 23	Skaters Flooring	\$_____
09 91 00	Painting	\$_____

DIVISION 10 – SPECIALTIES

10 21 13	Metal Toilet Partitions	\$_____
10 28 00	Shower and Washroom Accessories	\$_____
10 51 13	Lockers	\$_____

DIVISION 11 – EQUIPMENT

11 69 00	Protective Netting	\$_____
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DIVISION 12 – FURNISHINGS

12 48 43	Foot Grilles	\$_____
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DIVISION 13 – SPECIAL CONSTRUCTION

13 18 10	Dasher Boards	\$_____
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DIVISION 14 – NOT USED**DIVISION 31 – EARTHWORK**

31 05 00	Common Work Results for Earthwork	\$_____
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31 10 00	Site Preparation	\$_____
31 22 00	Rough Grading	\$_____
31 23 33	Excavation, Fill & Compaction	\$_____

DIVISION 32 – EXTERIOR IMPROVEMENTS

32 05 00	Common Work Results for Exterior Improvements	\$_____
32 16 00	Concrete Sidewalks, Curbs & Gutters	\$_____

DIVISION 33 – UTILITIES

33 05 00	Common Work Results for Utilities	\$_____
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Bidder Information Form

Bidders must complete this form and include with the Tender Submission.

Please ensure all information is legible.

1	Company Name	Dicocco Contractors 2015 Inc.
2	Bidder's Contact Information	Adrian Kloet
3	Supervisor's Contact Information (if applicable)	
4	Mailing Address	550 McGregor Road, Sarnia, ON N7T 7H5
5	E-mail Address	adrian@dicocco.ca
6	Office Phone #	519-344-8446
7	Cell #	519-331-7685
8	Website	www.dicocco.ca
9	WSIB Account # (if applicable)	6177469
10	HST Account #	822630596 RT0001
11	Addenda # received	#1 & # 2

Bidder: Dicocco Contractors 2015 Inc

Date 5/26/2022

Signature: Adrian Kloet

Digitally signed by Adrian Kloet
DN: cn=Adrian Kloet, gn=Adrian Kloet, o=CA Canada, ou=CA Canada, ou=Dicocco Contractors 2015 Inc.
Reason: I have reviewed this document
Location:
Date: 2022-05-25 13:09:04:00

Ability and Experience Form

The Bidder shall provide below information on previous experience in this class of work successfully undertaken by the Bidder's firm in the last three years.

# 1	
Reference Name	Eric Sieders
Contact & telephone #	519-331-4420
Term (# years)	2020-2022
Total Value (annual)	4,000,000.00
Description of Work	Roads, Curbs, Sidewalk, Drainage
Additional Comments (optional)	NOVA Chemicals AST2
# 2	
Reference Name	Stew Bechard
Contact & telephone #	519-359-2697
Term (# years)	4 mnths
Total Value (annual)	\$200,000.00
Description of Work	Bathroom Renovation & Upgrades
Additional Comments (optional)	CK-Wallaceburg PUC Building
# 3	
Reference Name	Gary Lavigne
Contact & telephone #	519-331-4886
Term (# years)	2019
Total Value (annual)	720,000
Description of Work	Rehabilitation of Airport Runway
Additional Comments (optional)	Sarnia Chris Hadfield Runway

Bidder: Dicocco Contractors 2015 Inc

Date 5/26/2022

Signature: Adrian Kloet

Digitally signed by Adrian Kloet
DN: cn=Adrian Kloet, gn=Adrian Kloet, c=CA, Canada, o=Dicocco Contractors 2015 Inc.
Reason: I have reviewed this document
Location:
Date: 2022.05.25 13:10:04.00

Subcontractor Information Form

Specify Option 1 or Option 2, below:

☐ **Option 1 –No Subcontracting will be utilized in order to meet the terms of this tender agreement.**

or

☒ **Option 2 - The Subcontractors listed below will assist in meeting the terms of this tender agreement:**

Subcontractor Information:

Name	Sub-Contractor names to be provided with bid breakdown
Address	
Work Type to be Subcontracted	Mechanical, Electrical, Masonry, Roofing, Dasher Board, Flooring
Scope of Work	

Note: If additional contractors will be used please include additional pages.

Bidder: Dicocco Contractors 2015 Inc

Signature: Adrian Kloet

Digitally signed by Adrian Kloet
DN: cn=Adrian Kloet, o=Dicocco Contractors 2015 Inc
Reason: I have reviewed this document
Location:
Date: 2022-05-25 13:10:04-00

Date: 5/26/2022

Form of Tender

TO: Mayor and Council of the Municipality of South Huron

RE: RFT SH-22 RS003 SHRC PHASE 1 Upgrades

**Request for Tender for the Provision of:
PHASE 1 UPGRADES**

1. No person(s), firm or corporation, other than the Bidder, has any personal interest in this Tender or in the award for which this Tender is made;
2. No member of Council, no officer or employee of the Corporation is or will become interested directly or indirectly as a tendering party, partner, shareholder, surety or in any portion of the profits thereof, or in any of the monies to be derived, there from;
3. This Tender submission is made without any connection, comparison of figures, or arrangements with, or knowledge of any other corporation, firm or person making a Tender submission for the same and is in all respects without collusion or fraud;
4. The Bidder confirms they have read and understood the Municipality of South Huron' Health and Safety policy and that they agree to fully comply with the Municipality's policy as well as any applicable legislation relating to Health and Safety regulations; www.southhuron.ca
5. The Bidder acknowledges that they will comply with any relevant legislation relating to accessibility including but not limited to the Accessibility for Ontarians with Disabilities Act (AODA) and Ontario Disability Act (ODA).
6. The Bidder agrees, having carefully examined the specifications and location of the work and understanding all conditions, to hereby offer to enter into a contract to provide the said work, for the Corporation of the Municipality of South Huron complete and available in accordance with the specifications of the Municipality outlined in the Tender document, related schedules and Addenda No. 1 to 2 inclusive.
7. The Bidder agrees that if this Tender is accepted that the signature of its authorized official, with authority to bind the Bidder, as provided below is it's undertaking to commence and complete the indicated works as per these Contract Documents.

8. The Municipality hereby confirms and agrees with the Bidder, in consideration for the work being performed by the Bidder as specified, shall be paid for the said work in accordance with the prices set out in this Form of Tender and in accordance with the provisions set forth in the attached contract Documents.

9. The Bidder confirms that they understand that their submission may become public information, unless specifically requested that certain parts of the submission remain confidential. Permission will be granted at the Municipality's discretion and will be subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

10. Provisional and/or contingency items, if any, are at the discretion of the Corporation. There shall be no payment of these monies except for extra or additional work ordered in writing by the Corporation.

By signing this submission, I confirm I have read and understood the content and requirements of this Tender document and confirm I am a principal, or have been duly authorized by the principal/board, to sign on behalf of the above named bidder/corporation.

In Witness Whereof the parties hereto have hereunto set their hands and seal the day and year first above written or caused their corporate seals to be affixed, attested by the signature of their proper officers, as the case may be.

Dicocco Contractors 2015 Inc

Name of Bidder

GM

Title

Adrian Kloet

Digitaly signed by Adrian Kloet
DN: cn=Adrian Kloet, o=Dicocco Contractors
2015 Inc
Reason: I have reviewed this document
Location:
Date: 2022-05-25 13:16:04-05

Signature of Bidder

5/26/2022

Date

Agreement

The above tender being Tender # **RFT SH-22 RS003 SHRC PHASE** is hereby accepted by the Municipality of South Huron:

Dated at _____ this _____ day of _____, 2022.

George Finch, Mayor

Rebekah Msuya-Collison, Clerk

We have the authority to bind the Corporation

Note: This, when signed and offered by the Bidder, shall constitute a formal and binding contract, when accepted by Resolution and signed on behalf of the Municipality.

*To be completed if applicable under section 1.1 Form of Tender

**AGREEMENT TO BOND
(PERFORMANCE BOND AND LABOUR AND MATERIALS PAYMENT BOND)**

**

Date: 5/26/2022, 2022

PROJECT NO. _____

CONTRACT NO. _____

TO: _____

Dear Sirs:

RE: _____

In consideration of _____
(hereinafter referred to as "the Owner") accepting the tender of and executing an Agreement with:

(hereinafter referred to as "the Tenderer") for the construction of

subject to the express conditions that the Owner receive the Performance Bond in accordance with the said tender, we the undersigned hereby agree with the Owner to become bound to the Owner as surety for the Tenderer in a Performance Bond in an amount equal to 100% of the contract price, in the form of Performance Bond provided and in accordance with the said tender, and we agree to furnish the Owner with said Bond within seven (7) days after notification of the acceptance of the said tender and execution of the said Agreement by the Owner has been mailed to us.

Yours very truly,

(Seal)

NOTE: This Agreement to Bond must be executed on behalf of the Surety Company by its authorized officers under the company's corporate seal. Of the two forms bound herein, one shall become a part of the tender and the other shall be retained by the Surety Company.

** Enter the name and address of the Surety Company at the top of the page.

SH-22-RS003 - Request for Tender for SHRC Phase 1 Upgrades

Opening Date: May 2, 2022 4:25 PM

Closing Date: May 26, 2022 2:00 PM

Vendor Details

Company Name: DiCocco Contractors 2015 Inc
Does your company conduct business under any other name? If yes, please state: Ontario
Address: 550 McGregor Road
Sarnia, Ontario N7T 7H5
Contact: Joseph Di Gregorio
Email: joseph@dicocco.ca
Phone: 519-344-8446 981216
Fax: 519-344-0790
HST#: 822630596

Submission Details

Created On: Tuesday May 10, 2022 09:00:00
Submitted On: Thursday May 26, 2022 13:52:48
Submitted By: Adrian Kloet
Email: adrian@dicocco.ca
Transaction #: 47321136-45af-400e-bca7-a1a5218fef15
Submitter's IP Address: 65.95.25.70

Documents

It is your responsibility to make sure the uploaded file(s) is/are not defective or corrupted and are able to be opened and viewed by the Municipality.

If the attached file(s) cannot be opened or viewed, your Bid submission may be rejected.

- Tender Submission - DICOCCO - RFT-SH-22-RS003 SHRC Phase 1 Upgrades- Bidder Information.pdf - Thursday May 26, 2022 13:52:32

Bidders shall submit with their on-line bid either a Digital copy (preferred) or Scanned copy (pdf) of the Bid Deposit in the amount as specified in the bid document, in one of the following options:

Option #1 Digital Bid Bond (preferred)

Option #2 Scanned Bid Bond (pdf)

Option #3 Scanned Certified Cheque (pdf)

Option #4 Scanned Bank Draft (pdf)

- Bid Deposit - BID BOND.pdf - Thursday May 26, 2022 13:31:43

Addenda, Terms and Conditions

The Bidder hereby acknowledges and agrees:

1. To provide all goods, services and construction, as more specifically set out and in accordance with the Owner's Bid Call Document, including but not limited to the scope of work, specifications, drawings, Addenda (if issued by the Owner), the terms and conditions, etc. stated therein, which are expressly acknowledged and made part of this Contract.
2. This Bid is made without any connections, knowledge, comparison of figures or arrangements with any other company, firm or person making a Bid for the same Work and is in all respects fair and without collusion or fraud.
3. I/WE do hereby Bid and offer to enter into a Contract to do all the Work as specified in the Bid Call Document(s) which shall include all costs but not limited to; freight, duty, currency, etc. in accordance with the prices and terms as submitted by the Bidder herein.
4. I/WE agree to furnish all required documentation as required by the Bid Call Document.
5. I/WE acknowledge and agree that any issued Addendum/Addenda forms part of the Bid Call Document.
6. I/WE certify that we are in full compliance with the Customer Service Standard of the Accessibility for Ontarians with Disabilities Act, 2005.
7. I/WE (including any related or affiliated entities and any principal thereof) have no unresolved litigation with the Owner.

☒ I/WE agree to be bound by the terms and conditions and have authority to bind the Corporation and submit this Bid on behalf of the Bidder. - Adrian Kloet, GM, DiCocco Contractors

The bidder shall declare any potential conflict of interest that could arise from bidding on this bid. Do you have a potential conflict of interest? ☐ Yes ☒ No

The Bidder acknowledges and agrees that the addendum/addenda below form part of the Bid Document

Please check the box in the column "I have reviewed this addendum" below to acknowledge each of the addenda.

File Name	I have reviewed the below addendum and attachments (if applicable)	Pages
SH-22-RS-003 - Addendum 2 Documentation Tue May 24 2022 03:06 PM	<input checked="" type="checkbox"/>	80
SH-22-RS-003 - Addendum 2 Tue May 24 2022 03:05 PM	<input checked="" type="checkbox"/>	1
SH-22-RS-003 - Addendum 1 - Site Visit Log Wed May 18 2022 01:45 PM	<input checked="" type="checkbox"/>	1
SH-22-RS-003 - Addendum 1 Wed May 18 2022 01:44 PM	<input checked="" type="checkbox"/>	2

Bid Bond

No. U2156-2022-37

Bond Amount: 10% of Tender Price

DiCocco Contractors 2015 Inc. as Principal, hereinafter called the Principal, and **Arch Insurance Canada Ltd.** a corporation created and existing under the laws of Canada and duly authorized to transact the business of Suretyship in all Provinces and Territories in Canada as Surety, hereinafter called the Surety, are held and firmly bound unto **The Corporation of the Municipality of South Huron** as Obligee, hereinafter called the Obligee, in the amount of **Ten Percent of Tender Price— 00/100 Dollars (10% of Tender Price)** lawful money of Canada, for the payment of which sum the Principal and the Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally.

WHEREAS, the Principal has submitted a written bid to the Obligee, dated **May 25, 2022** for **SH - 22-RS003; Request for Tender for SHRC Phase 1 Upgrades**

The condition of this obligation is such that if the Principal shall have the bid accepted within the time period prescribed in the Obligee's bid documents, or, if no time period is specified in the Obligee's bid documents, within **60** days from the closing date as specified in the Obligee's bid documents, and the Principal enters into a formal contract and gives the specified security, then this obligation shall be void; otherwise, provided the Obligee takes all reasonable steps to mitigate the amount of such excess costs, the Principal and the Surety will pay to the Obligee the difference in money between the amount of the bid of the Principal and the amount for which the Obligee legally contracts with another party to perform the work if the latter amount be in excess of the former.

The Principal and Surety shall not be liable for a greater sum than the Bond Amount.

It is a condition of this bond that any suit or action must be commenced within seven (7) months of the date of this Bond.

No right of action shall accrue hereunder to or for the use of any person or corporation other than the Obligee named herein, or the heirs, executors, administrators or successors of the Obligee.

IN WITNESS WHEREOF, the Principal and the Surety have Signed and Sealed this Bond dated **May 24, 2022**

SIGNED and SEALED
in the presence of



DiCocco Contractors 2015 Inc.

Signed electronically by

Signature on May 26, 2022 - 4:32 PM GMT

Name of person signing

Arch Insurance Canada Ltd.

Signed electronically by

Cathy Ricci on May 26, 2022 - 2:43 PM GMT
Signature

Cathy Ricci, Attorney-in-fact

Name of person signing



Copyright 2002

Canadian Construction Documents Committee

(CCDC 220 – 2002 has been approved by the Surety Association of Canada)