



THE CITY OF WINNIPEG

REQUEST FOR QUALIFICATION

RFQ NO. 973-2015

REQUEST FOR QUALIFICATION FOR THE PROVISION OF NURSERY TREES

TABLE OF CONTENTS

PART A – REQUEST FOR QUALIFICATION APPLICATION

Form A: Request for Qualification Application	1
---	---

PART B - BIDDING PROCEDURES

B1. Project Title	1
B2. Purpose of the Request for Qualifications Document	1
B3. Submission Deadline	1
B4. Enquiries	1
B5. Addenda	2
B6. Qualification Submission	2
B7. Qualification Application	3
B8. Qualification	4
B9. Experience of Applicant	4
B10. substitutions	5
B11. Non-Conforming Submissions	5
B12. No Collusion	5
B13. No Lobbying	5
B14. Applicant's Costs and Expenses	5
B15. Confidentiality And Privacy	5
B16. Procurement Process	6
B17. Opening of Bids and Release of Information	6
B18. Notification of Status	6
B19. Evaluation Schedule	6
B20. Evaluation of Qualification	7
B21. No Contract	7

PART C - GENERAL CONDITIONS

C0. General Conditions	1
------------------------	---

PART D - SUPPLEMENTAL CONDITIONS

D1. General Conditions	1
D2. Scope of Work	1
D3. Definitions	1
D4. Contract Administrator	1
D5. Suspension and Removal from the Pre-qualified Bidders List	2
D6. Authority to Carry on Business	2
D7. Workers Compensation	2
D8. Non-Disclosure	2
D9. General Conditions	2
D10. Goods	2
D11. Deliveries	3
D12. Substitutions	4
D13. Quotes for Supply	5

APPENDIX A – REQUEST FOR QUOTE	1
--------------------------------	---

PART B - BIDDING PROCEDURES

B1. PROJECT TITLE

B1.1 REQUEST FOR QUALIFICATION FOR THE PROVISION OF NURSERY TREES

B2. PURPOSE OF THE REQUEST FOR QUALIFICATIONS DOCUMENT

B2.1 The purpose of this Request for Qualification (RFQ) is to identify capable and experienced pre-qualified bidders to supply and deliver nursery trees on as required basis until October 31, 2018.

B2.2 The City invites qualified individuals to submit a Qualification Submission in response to this RFQ.

B2.3 After receiving the Submissions to this RFQ, the City will review all Submissions received and place qualified Applicants on our Pre-qualified Bidders List. Only those Applicants on the Pre-qualified Bidders List will be invited to submit Quotes in response to future requests for the Supply and Delivery of Nursery Trees as requested by the City.

B2.4 Prices will be requested, and evaluated, as part of the Request for Quote Form for future Provision of Nursery Trees requested by the City in accordance with D13.

B3. SUBMISSION DEADLINE

B3.1 **The Submission Deadline is 4:00 p.m. Winnipeg time, November 27, 2015.**

B3.2 Bid Submissions determined by the Manager of Materials to have been received later than the Submission Deadline will not be accepted and will be returned upon request.

B3.3 The Contract Administrator or the Manager of Materials may extend the Submission Deadline by issuing an addendum at any time prior to the time and date as specified in B5.

B3.4 The City reserves the right to add or delete Bidders during the period stated in D2.1 in the best interest of the City.

B4. ENQUIRIES

B4.1 All enquiries shall be directed to the Contract Administrator identified in D4.1.

B4.2 Any Applicant who has questions as to the meaning or intent of any part of this document or who believes this document contains any error, inconsistency or omission should make an enquiry prior to the Submission Deadline requesting clarification, interpretation or explanation in writing to the Contract Administrator.

B4.3 If the Applicant finds errors, discrepancies or omissions in the document, or is unsure of the meaning or intent of any provision therein, the Applicant shall promptly notify the Contract Administrator of the error, discrepancy or omission at least five (5) Business Days prior to the Submission Deadline.

B4.4 If the Applicant is unsure of the meaning or intent of any provision therein, the Applicant should request clarification as to the meaning or intent prior to the Submission Deadline.

B4.5 Responses to enquiries which, in the sole judgment of the Contract Administrator, require a correction to or a clarification of the RFQ will be provided by the Contract Administrator to all Applicants by issuing an addendum.

B4.6 Responses to enquiries which, in the sole judgment of the Contract Administrator, do not require a correction to or a clarification of the RFQ will be provided by the Contract Administrator only to the Applicant who made the enquiry.

B4.7 The Applicant shall not be entitled to rely on any response or interpretation received pursuant to B4 unless that response or interpretation is provided by the Contract Administrator in writing.

B5. ADDENDA

B5.1 The Contract Administrator may, at any time prior to the Submission Deadline, issue addenda correcting errors, discrepancies or omissions in the RFQ, or clarifying the meaning or intent of any provision therein.

B5.2 The Contract Administrator will issue each addendum at least two (2) Business Days prior to the Submission Deadline, or provide at least two (2) Business Days by extending the Submission Deadline.

- (a) The Addenda will be available on the Bid Opportunities page at the Materials Management Division's website at <http://www.winnipeg.ca/matmgt/bidopp.asp>
- (b) The Applicant is responsible for ensuring that he/she has received all addenda and is advised to check the Materials Management Division's website for addenda regularly and shortly before the Submission Deadline, as may be amended by addendum.

B5.3 The Applicant should acknowledge receipt of each addendum on Form A: Request for Qualification Application.

B6. QUALIFICATION SUBMISSION

B6.1 The Qualification Submission shall consist of the following components:

- (a) Form A: Request for Qualification Application (B7);
- (b) Qualifications (B8);
- (c) Experience of Applicant (B9).

B6.2 The Qualification Submission shall be submitted enclosed and sealed in an envelope clearly marked with the Qualification Opportunity number and the Applicant's name and address.

B.6.2.1 Samples or other components of the Qualification Submission which cannot reasonably be enclosed in the envelope may be packaged separately, but shall be clearly marked with the Qualification Opportunity number, the Applicant's name and address, and an indication that the contents are part of the Applicant's Qualification Submission.

B.6.2.2 Proponents should submit one (1) unbound original (marked "original") and five (5) copies plus one (1) copy in an MSOffice compatible electronic format on a standard CD. If there is any discrepancy between the electronic version and the original hard copy, the original hard copy shall take precedence.

B.6.2.3 Each requirement should be addressed in a separate section clearly marked with the corresponding letter;

B.6.2.4 The City reserves the right to make additional copies of all Submissions for its internal review process and to provide such copies to its staff and external advisors

B.6.3 Qualification Submissions submitted by facsimile transmission (fax) or internet electronic mail (e-mail) will not be accepted.

B.6.4 Qualification Submissions shall be submitted to:

The City of Winnipeg
Corporate Finance Department
Materials Management Division
185 King Street, Main Floor
Winnipeg MB R3B 1J1

B.6.5 Applicants are advised that inclusion of terms and conditions inconsistent with the RFQ document will be evaluated in accordance with B20.1.

B.6.6 All Submissions received in response to this RFQ will be kept in confidence with the sole purposes of evaluating and developing the best possible strategic option for the City.

B.6.7 Submissions and the information they contain will be the property of the City upon receipt. No Submissions will be returned.

B7. QUALIFICATION APPLICATION

B.7.1 Further to B.6.1 (a), the Applicant shall complete Form A: Request for Qualifications Application making all required entries.

B.7.2 Paragraph 2 of Form A: Request for Qualifications Application shall be completed in accordance with the following requirements:

- (a) if the Applicant is a sole proprietor carrying on business in his/her own name, his/her name shall be inserted;
- (b) if the Applicant is a partnership, the full name of the partnership shall be inserted;
- (c) if the Applicant is a corporation, the full name of the corporation shall be inserted;
- (d) if the Applicant is carrying on business under a name other than his/her own, the business name and the name of every partner or corporation who is the owner of such business name shall be inserted.

B.7.2.1 If the Submission is submitted jointly by two or more persons, each and all such persons shall identify themselves in accordance with (b).

B.7.3 In Paragraph 3 of Form A: Request for Qualifications Application, the Applicant shall identify a contact person who is authorized to represent the Applicant for purposes of this RFQ.

B.7.4 Paragraph 7 of Form A: Request for Qualification Application should be signed in accordance with the following requirements:

- (a) if the Applicant is a sole proprietor carrying of business in his/her own name, it shall be signed by the Proponent;
- (b) if the Applicant is a partnership, it shall be signed by the partner or partners who have authority to sign for the partnership;
- (c) if the Applicant is a corporation, it shall be signed by its duly authorized officer or officers and the corporate seal, if the corporation has one, should be affixed;
- (d) if the Applicant is carrying on business under a name other than his/her own, it shall be signed by the registered owner of the business name or by the registered owner's authorized officials if the owner is a partnership or a corporation.

B.7.4.1 The name and official capacity of all individuals signing Form A: Request for Qualification Application should be printed below such signatures.

B.7.4.2 All signatures should be original.

B.7.5 If a Submission is submitted jointly by two or more persons, the word "Applicant" shall mean each and all such persons, and the undertakings, covenants and obligations of such joint Applicants in the Submission, shall be both jointly and several.

B8. QUALIFICATION

B.8.1 The Applicant shall:

- (a) undertake to be in good standing under The Corporations Act (Manitoba), or properly registered under The Business Names Registration Act (Manitoba), or otherwise properly registered, licensed or permitted by law to carry on business in Manitoba;
- (b) be responsible and not be suspended, debarred or in default of any obligation to the City;
- (c) be financially capable of carrying out the terms of the Contract;
- (d) have 5 years nursery operation experience, capital, organization, nursery facilities, staff and equipment to produce and deliver nursery trees in strict accordance with the terms and provisions of the Contract;
- (e) have successfully provided supply and delivery of quality nursery trees in accordance with the "*Canadian Standards for Nursery Stock*" 8th edition or most recent version (Canadian Nursery Landscape Association) in a project of similar scope, nature and value of work;
- (f) have a written workplace safety and health program in accordance with The Workplace Safety and Health Act (Manitoba).

B.8.2 The Applicant shall be prepared to submit, within three (3) Business Days of a request by the Contract Administrator, proof satisfactory to the Contract Administrator of the qualifications of the Applicant.

B.8.3 The Applicant shall provide, on the request of the Contract Administrator, full access to any of the Applicant's equipment and facilities.

B9. EXPERIENCE OF APPLICANT

B.9.1 The Applicant shall submit information in sufficient detail for the City to evaluate the qualifications of the Applicant(s) by providing:

- (a) their organization, management and business model;
- (b) the number of clients they supply with large volume and diverse nursery tree selection requirements;
- (c) evidence of the ability to supply and deliver multiple orders of nursery trees within a specified time frame as stated in B.8.1(e);
- (d) references for recent projects of similar scope, nature and value of work as identified in B.8.1 (e) should be provided with the Bid submission. The number of references provided is at each Applicant's discretion but should be sufficient to clearly demonstrate the Applicant's production capacity and expertise. Each reference should consist of a company name, contact name, email address, phone number and a brief client description;
- (e) the Applicant shall submit an overview highlighting your company's knowledge and experience in nursery operations specific to the production of nursery stock.

B10. SUBSTITUTIONS

B.10.1 Substitution sub-contractors will be permitted to supply Nursery Trees to the City as outlined in this Request for Qualification.

B11. NON-CONFORMING SUBMISSIONS

B11.1 Notwithstanding B20.1, with the exception of B3.3, if an Applicant's Submission is not strictly in accordance with any provision of this RFQ, the City may, at its option:

- (a) waive the non-conformance if, in the City's opinion, the non-conformance is immaterial; or
- (b) reject the Submission as non-responsive if, in the City's opinion, the non-conformance is material.

B11.2 If the non-conformance is an omission, the City may, at its discretion, give the Applicant up to five (5) Business Days to supply the omitted material.

B11.3 If the requested information is not submitted by the time specified in B3.1, the Submission will be determined to be non-responsive.

B12. NO COLLUSION

B12.1 Upon making a Submission to this RFQ, each Applicant shall declare that they have not participated in any collusive scheme or combine.

B12.2 Applicants must ensure that their participation in this RFQ is conducted without collusion or fraud on their part or any of their team. Applicants and their team members shall not engage in discussions or other communications with any other Applicants or their team members regarding the preparation or submission of their responses to this RFQ. Breach of this provision may result in disqualification from the RFQ process or, if the City becomes aware of your breach of this provision after the Engagement Proposal has been issued, from the Engagement Proposal process.

B13. NO LOBBYING

B13.1 Any form of political or other lobbying whatsoever in relation to the Pre-qualification of Applicants or with a view to influencing the outcome of this RFQ process is strictly prohibited. Failure to comply with this provision may result in disqualification from the RFQ process or, if the City becomes aware of your breach of this provision after the Engagement Proposal has been issued, disqualification from the Engagement Proposal process.

B14. APPLICANT'S COSTS AND EXPENSES

B14.1 Applicants are solely responsible for their own costs and expenses in preparing and submitting a Qualification Submission and participating in the RFQ, including the provision of any additional information or attendance at meetings.

B14.2 If an Applicant is successful and becomes part of the City's Pre-qualified Bidders List, all costs and expenses incurred to prepare and submit responses to the City's future requests will be borne by the Pre-qualified Bidder.

B15. CONFIDENTIALITY AND PRIVACY

B15.1 Information provided to an Applicant by the City or acquired by an Applicant by way of further enquiries or through investigation is confidential. Such information shall not be used or disclosed

in any way without the prior written authorization of the City. The Applicant shall not make any statement of fact or opinion regarding any aspect of the RFQ and any subsequent proposal to the media or any member of the public without the prior written authorization of the City.

- B15.2 The protection of personal information and privacy will be fundamental aspects of the Project. Applicants shall comply with all applicable privacy legislation, including but not limited to the Personal Information Protection and Electronic Documents Act (Canada) ("PIPEDA"). In addition, Applicants are advised that the City is subject to The Freedom of Information and Protection of Privacy Act (Manitoba) ("FIPPA") and that the Applicant will be expected to comply with the obligations imposed upon the City pursuant to FIPPA.
- B15.3 To the extent permitted, the City shall treat all Submissions as confidential. However, the Applicant is advised that any information contained in any Submission may be released if required by City policy or procedures, by FIPPA, by other authorities having jurisdiction, or by law.
- B15.4 All Qualification Submissions submitted to the City will be kept in confidence with the City for the sole purposes of evaluating and developing the best possible strategic option for the City. Qualification Submissions will become the property of the City. The City will have the right to make copies of all Submissions for its internal review process and to provide such copies to its staff and/or external advisors and representatives.
- B15.5 All information will become and remain the property of the City; none will be returned. If the application contains any proprietary or trade secret information, said information must be indicated as such.

B16. PROCUREMENT PROCESS

- B16.1 The first stage of the procurement process for the Provision of Nursery Trees is this RFQ. The City will qualify Applicants that meet the requirements of the RFQ.
- B16.2 Following completion of the RFQ stage, Applicants will be placed on a Pre-qualified Bidders List and invited to respond to Requests for Quotes for the Supply and Delivery of Nursery Trees.
- B16.3 Details on the process for the Request for Quotes for Supply and Delivery of Nursery Trees are specified in D13.

B17. OPENING OF BIDS AND RELEASE OF INFORMATION

- B17.1 Qualification Submissions will not be opened publicly.

B18. NOTIFICATION OF STATUS

- B18.1 All Applicants submitting this Qualification Application shall be notified of their status in writing.
- B18.2 The Request for Qualification does not commit the City to award any Contracts or to defray any costs incurred in the preparation and submission of data pursuant to this request.
- B18.3 The City reserves the right to re-issue this Request for Qualifications to add additional qualified nursery tree growers to the Pre-qualified Bidders list.

B19. EVALUATION SCHEDULE

- B19.1 The City intends to complete the evaluation of the Qualification Submissions by December 18, 2015.

B19.2 Estimated Preliminary Schedule

Phase	Approximate Date(s)
1. RFQ Process	November 27, 2015
2. Evaluation/Shortlist of Applicants	December 23, 2015

B20. EVALUATION OF QUALIFICATION

B20.1 Submissions shall be based on the following criteria:

- (a) Completeness of responses to stated requirements
- (b) Qualifications of the Bidder as identified in B8
- (c) Experience of Applicant as identified in B9

B20.2 Further to B20.1 (a), the City may reject a Submission as being non-responsive if the Submission is incomplete, obscure or conditional, or contains additions, deletions, alterations or other irregularities. The City may reject all or any part of any Submission, or waive technical requirements or minor informalities or irregularities if the interests of the City so require.

B20.3 Further to B20.1 (b) the Applicant shall be evaluated considering the information submitted in response to nursery operation experience of 5 years, nursery production and horticultural knowledge and commercial business knowledge, have the required vehicles and equipment to make deliveries to the City and have proven ability to supply and deliver to the City a wide selection of quality nursery trees in accordance with the "*Canadian Standards for Nursery Stock*" 8th edition or most recent version (Canadian Nursery Landscape Association) ("CNLA").

B20.4 Further to B20.1 (c), reference checks to confirm information provided may not be restricted to only those submitted by the Proponent, and may include organizations representing Persons, known to have done business with the Proponent.

B20.5 The City has full power to conduct an independent verification of information in any Submission received and generally pertaining to the qualifications and experience of the Applicant and any proposed members of its team.

B20.6 The City may, in its sole discretion, interview any or all Applicants during the evaluation process, to provide clarification or additional information in relation to its Submission.

B21. NO CONTRACT

B21.1 By submitting a Qualification Submission and participating in the process as outlined in this document, Applicants expressly agree that no contract of any kind is formed under, or arises from this RFQ, and that no legal obligations will arise.

B21.2 Although it is the intention of the City to establish a Pre-qualified Bidders List of Bidders to participate in future requests for provision of nursery trees, the City reserves the right and the full power to give notice in writing of any change to its Contract Administrator, amend any dates, schedules, limits and Scope of Work and any contract awarded, or to reject any and all Submissions, to launch a new or amended procurement process, or to decide that it will not issue the request for provision of nursery trees, without incurring any liability in respect of costs or damages incurred by any Applicant or any member of a private sector team.

B21.3 Without limiting the generality of the foregoing, the City reserves the right and the full power to amend or cancel this RFQ, the procurement process or the Work at any time.

- B21.4 When the City proceeds to issue Requests for Quotes for the Provision of Nursery Trees to Pre-qualified Bidders determined to be qualified under the RFQ process, the City will have no obligation to award a Contract where:
- (a) only one Submission is received; or
 - (b) in the judgment of the City, the interests of the City would best be served by not entering into a Contract.
- B21.5 The City reserves the right to disqualify any Applicant whose Submission, in the opinion of the City, contains false or misleading information.
- B21.6 Following the conclusion of the RFQ process, Applicants will be provided with information related to the evaluation of their Submission upon written request to the Contract Administrator.

PART C - GENERAL CONDITIONS

C0. GENERAL CONDITIONS

- C0.1 The *General Conditions for Supply of Goods* (Revision 2008 05 26) are applicable to the Work of the Contract.
- C0.1.1 The *General Conditions for Supply of Goods* are available on the Information Connection page at The City of Winnipeg, Corporate Finance, Materials Management Division website at http://www.winnipeg.ca/matmgt/gen_cond.stm
- C0.2 A reference in the proposal to a section, clause or sub clause with the prefix "C" designates a section, clause or sub clause in the *General Conditions for Supply of Goods*.

PART D - SUPPLEMENTAL CONDITIONS

D1. GENERAL CONDITIONS

D1.1 In addition to the *General Conditions for Supply of Goods*, these Supplemental Conditions are applicable to the Work of the Contract.

D2. SCOPE OF WORK

D2.1 The Work to be done under the "Pre-qualified Bidders List" for supply and delivery of nursery trees is for the period ending October 31, 2018.

D2.2 The major components of the work are as follows:

- (a) Supply high quality nursery trees in accordance with the "*Canadian Standards for Nursery Stock*" 8th edition or most recent version (CNLA) as ordered by the City;
- (b) Deliver nursery stock as ordered by the City to the City of Winnipeg Civic Nursery located at 4027 Pembina Hwy, Winnipeg, Manitoba.

D3. DEFINITIONS

D3.1 When used in this Request for Qualification:

- (a) "**Applicant**" means the Bidder in response to this Request for Qualifications;
- (b) "**may**" indicates an allowable action or feature which will not be evaluated;
- (c) "**must**" or "**shall**" indicates a mandatory requirement which will be evaluated on a pass/fail basis;
- (d) "**Person**" means an individual, firm, partnership, association or corporation, or any combination thereof, and includes heirs, administrators, executors or legal representatives of a person;
- (e) "**Pre-qualification List**" means the list of pre-qualified Bidders established for Provision of Nursery Trees.
- (f) "**should**" indicates a desirable action or feature which will be evaluated on a relative scale;
- (g) "**Submission or Qualification Submission**" means that portion of the Request for Qualification which must be completed or provided and submitted by the Submission Deadline;
- (h) "**Bidder**" means the applicant in response to this Request for Qualifications.

D4. CONTRACT ADMINISTRATOR

D4.1 The Contract Administrator is:

Mr. Christopher Lepa
Forestry Technician 2 – Urban Forestry Branch
1539 Waverley St
Parks and Open Space Division
Public Works Department
City of Winnipeg R3T 4V7
Telephone No.: 204-986-2006
Email: CLepa@winnipeg.ca

D5. SUSPENSION AND REMOVAL FROM THE PRE-QUALIFIED BIDDERS LIST

- D5.1 Suspension from the Pre-qualified Bidders List may be made by the Contract Administrator, at his/her sole discretion, for any failure on the part of the Contractor to meet any of the obligations in the Work resulting from this Request for Qualification or the inability of the Pre-qualified Bidder to present proposals in response to staffing requests.

SUBMISSIONS

D6. AUTHORITY TO CARRY ON BUSINESS

- D.6.1 The Contractor shall be in good standing under The Corporations Act (Manitoba), or properly registered under The Business Names Registration Act (Manitoba), or otherwise properly registered, licensed or permitted by law to carry on business in Manitoba, or if the Contractor does not carry on business in Manitoba, in the jurisdiction where the Contractor does carry on business, throughout the term of the Contract, and shall provide the Contract Administrator with evidence thereof upon request.

D7. WORKERS COMPENSATION

- D.7.1 The Contractor shall be registered with the Workers Compensation Board of Manitoba, shall provide and maintain Workers Compensation coverage throughout the term of the Pre-qualified Bidders List, and shall provide the Contract Administrator with evidence thereof upon request.

D8. NON-DISCLOSURE

- D.8.1 Pre-qualified Bidders must not disclose any details pertaining to their RFQ and the selection process in whole or in part to anyone not specifically involved in their Submission, without the prior written approval of the City. Pre-qualified Bidders shall not issue a news release or other public announcement pertaining to details of their Qualification Submission or the selection process without the prior written approval of the City.
- D.8.2 Pre-qualified Bidders are advised that an attempt on the part of any Applicant or any of its employees, agents, contractors or representatives to contact any members of City Council or their staff or any member of City Administration other than the Contract Administrator with respect to this RFQ solicitation, may lead to disqualification.

D9. GENERAL CONDITIONS

- D9.1 These specifications shall apply to the supply and delivery of nursery trees described below except as may otherwise be provided in the Request for these services.

D10. GOODS

- D10.1 The Contractor shall supply and deliver in accordance with the requirements hereinafter specified.

D10.1.1 Size and Condition:

- a) All nursery stock shall be nursery grown in compliance with the "*Canadian Standards for Nursery Stock*" 8th edition or most recent version (CNLA), referring to size and development of plant material, root structure and/or root ball. All stock shall be properly spaced in the nursery to allow for well-balanced crown development. Sizes as indicated on the Requests for Quotes are the minimum allowable after pruning. **Supply of material**

that is greater than the specified size on the Request for Quotes must be approved by the Contract Administrator prior to delivery.

- b) All trees shall be typical of the species with straight clear trunks and well-branched heads. Nursery stock shall be well-rooted and strong-growing with a minimum of $\frac{3}{4}$ of the root system intact. Balled and burlapped stock must have been root pruned regularly, but not later than one growing season prior to arrival on site and be pruned to be in line with the natural branching habit typical of the species. Any trees with poor form, unnatural branching habit and/or crooked trunk will be rejected.
- c) Root system of potted stock must be well-developed reaching the sides of the container to maintain a firm rootball and without circling or girdling roots. Potted stock shall be potted a minimum of one (1) growing season prior to delivery.
- d) Stock that is to be balled and burlapped must be securely balled, as per the latest edition of the "*Canadian Standards for Nursery Stock*" 8th edition or most recent version (CNLA) and to be wrapped with untreated burlap.
- e) All nursery stock shall be subject to rejection by the City at the time of delivery if it does not meet the required specifications.
- f) All tree seed source and rootstock shall be prairie hardy and capable of surviving in hardiness Zone 3 or lower.

D10.1.2 Shipping of Nursery Stock

- a) During shipping, protect plant material against abrasion, exposure and extreme temperature change. Avoid binding of stock with rope or wire, which may damage bark, break branches, or destroy the natural shape of the plant. Give full support to root ball of trees and shrubs during lifting.
- b) Plant foliage shall be covered with tarpaulin during transit.
- c) Trees shall be watered prior to delivery.
- d) All nursery stock shall be packed for shipping in such a manner as to avoid drying of the root system during transit.
- e) All nursery stock shall be free from disease, insects, other pests or any physical damage at time of delivery and off-loading

D10.1.3 Guarantee

- a) Following final inspection and acceptance by the Contract Administrator or designate at the off-loading area, no guarantee is required for nursery stock supplied under this Contract.

D10.1.4 Additional Nursery Stock Qualifications

- a) All plant material must have a tag clearly bearing the botanical name.

D11. DELIVERIES

D11.1 Goods shall be delivered on an "as required" basis as follows:

- (a) All prices must be quoted F.O.B. DESTINATION – Freight Prepaid. All packaging and freight costs shall be prepaid and borne by the Contractor.
- (b) The goods, shall be delivered to the following delivery location: : **City of Winnipeg Civic Nursery, 4027 Pembina Highway, Winnipeg, Manitoba or alternative address within the City of Winnipeg as directed by the Contract Administrator.**
- (c) Deliveries shall typically occur between the second week of April to the second week in May in the spring and between the second week of September and the second week of October in the fall. Dates may vary and will be coordinated between the Contractor and Contract Administrator at the time trees are ordered.
- (d) The successful bidder(s) shall be required to give the Urban Forestry Branch a minimum of 48 hrs notice prior to delivery. Delivery shall be arranged with Contract Administrator or designate. Delivery shall be between the hours of 8:00 a.m. and 4:00 p.m.
- (e) Title to the goods contracted for delivery shall pass to the City upon:
 - (i) the goods having been delivered and offloaded at the designated delivery location(s); and
 - (ii) the Contract Administrator or designate having certified acceptance of the goods. The Contractor shall bear full all risks and rewards of ownership of the goods while in transit, including, but not necessarily limited to, the administration of any damage claims with the Contractor's contracted delivery agent or carrier.

D11.2 The Contractor shall be responsible for resolving any other damage claims, either with its contracted delivery agent or carrier or the product distributor, regardless as to whether the damage to the goods could have been visible at time of shipment or is later found to have been concealed during shipment

D11.3 Any shipment or shipments of goods supplied to the City may be sampled at any time after receipt of shipment. Should the goods fail to meet the specifications as set out in this section, including damage as a result of shipment, the City at its sole discretion may choose to reject the shipment(s).

D11.4 Should a shipment be rejected, the Contractor will be given verbal and written notification and will be required to remove the rejected material(s) from the City's premises at the Contractor's cost. The shipment will be replaced with compliant or undamaged goods in a timely manner at no additional cost to the City.

D12. SUBSTITUTIONS

D12.1 Sizes and species of plant material shall be as specified in the Request for Quotes. If the size or species specified is not available the closest alternative may be selected, subject to the Contract Administrator's approval, and offered at the same price or below the cost of originally specified.

D12.2 If quoting on an alternative size, the size must be stated and specified in the Request for Quote.

D12.3 If quoting on an alternative species, cultivar or variety, these shall be stated and specified in the Request for Quote and comply with the species substitution requirements as indicated on the Request for Quote.

D12.4 If, following approval, the successful bidder cannot fulfill specific nursery tree order requirements stated in the Contract, they must immediately advise the Contract Administrator and indicate proposed substitutes. Substitutes will be subject to the Contract Administrator's approval and offered at the same price or below the cost of originally specified.

D13. QUOTES FOR SUPPLY

- D13.1 When, during the term specified in D2.1, plant materials are required, the Contract Administrator will issue a Request for Quote Form for Supply and Delivery of Nursery Trees, to Pre-qualified Bidders on the Pre-qualified Bidders List.
- D13.2 Each Request for Quote will be forwarded to all Pre-qualified Bidder(s) on the Pre-qualified Bidders List. The Bidder(s) are invited to submit a Quote for Supply in accordance with the procedure set forth below.
- D13.3 Upon receipt of a Request for Quote, the Pre-qualified Bidder(s) shall familiarize themselves with the tree selections, species and cultivar availability, size and condition requirements, and delivery requirements.
- D13.4 The Pre-qualified Bidder(s) shall submit a response by no later than the date stated on the Request for Quote.
- D13.5 Quotes for Supply will be submitted via electronic mail (email) or by fax to the Contract Administrator submitting Appendix A: Request for Quote: Supply and Delivery of Nursery Trees.
- D13.6 Notwithstanding D13.1, the City shall not be required to submit a Request for Quote for Supply and Delivery of Nursery Trees to a Pre-qualified Bidder if:
- (a) the Pre-qualified Bidder has previously declined to submit a Quote for Work of similar nature, scope and size and to be performed in substantially the same time frame; and/or
 - (b) the Pre-qualified Bidder requests, for reasons acceptable to the Contract Administrator, to be excluded from the normal order of the Pre-qualification List for all or any types of Work.
- D13.7 The Pre-qualified Bidder's Quote will be evaluated by the City based on the following bid evaluation criteria:
- (a) Confirm Pre-qualified Bidder can supply trees as ordered;
 - (b) Confirm Pre-qualified Bidder can deliver trees by a stated date;
 - (c) Lowest unit price.
- D13.8 Further to the evaluation D13.7 the Contract Administrator may request an interview with the proposed personnel to determine their ability to supply and deliver goods, and may request the City select and tag trees at the Pre-qualified Bidder's nursery.
- D13.9 Further to the evaluation of D13.7, the Contract Administrator may:
- (a) accept the Quote;
 - (b) recommend that the Quote be rejected for any of the reasons stated in D13.6.
- D13.10 The City will have no obligation to accept a Quote where:
- (a) the prices exceed the available City funds for the Work; or
 - (b) the prices are materially in excess of the prices received for similar products in the past; or
 - (c) the prices are materially in excess of the cost to the City performing the Work, or a significant portion thereof, with its own forces; or
 - (d) in the judgment of the Contract Administrator, the interests of the City would best be served by not awarding the contract.

APPENDIX A – REQUEST FOR QUOTE

PROVISION OF NURSERY TREES

Category of Service		Reference Number	
Date of Issue		Commencement Date	
Response date		Completion Date	

Engagement Specifications – Work Required

Special Instructions
1.
2.
3.

Engagement Acceptance Criteria	
Award of the Engagement shall be based on the following bid evaluation criteria	
Pre-qualified Bidder can supply trees as ordered	Pass / Fail
Pre-qualified Bidder can deliver trees by a stated date	Pass / Fail
Lowest unit price for trees	Pass / Fail
Note: The delivery hours are Monday through Friday 8:00 am – 4:00 pm, excluding holidays.	

Warranty Information (not withstanding C12)

PMO Only	
Request Number:	Request Contact:
<input type="checkbox"/> Approved	<input type="checkbox"/> Declined