



## 895-2023 ADDENDUM 3

### PROFESSIONAL CONSULTING SERVICES FOR DEVELOPMENT OF ORGANIC WASTE PROCESSING SERVICES CONTRACT

ISSUED: January 15, 2024  
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#### **URGENT**

PLEASE FORWARD THIS DOCUMENT TO WHOEVER  
IS IN POSSESSION OF THE BID/PROPOSAL

**THIS ADDENDUM SHALL BE INCORPORATED  
INTO THE BID/PROPOSAL AND SHALL FORM  
A PART OF THE CONTRACT DOCUMENTS**

Template Version: Add 2021-03-05

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**Please note the following and attached changes, corrections, additions, deletions, information and/or instructions in connection with the Bid/Proposal, and be governed accordingly. Failure to acknowledge receipt of this Addendum in Paragraph 10 of Form A: Bid/Proposal may render your Bid/Proposal non-responsive.**

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#### **PART B – BIDDING PROCEDURES**

Revise: B2.1 to read: The Submission Deadline is 12:00 noon Winnipeg time, February 6, 2024.

Revise: B9.2(g) to read: reference information (up to two current names with telephone numbers and email addresses per project).

#### **PART D – SUPPLEMENTAL CONDITIONS**

Revise: D14.3 to read: The City intends to award this Contract by March 12, 2024.

Delete: D15.1 (a)

#### **PART E – SPECIFICATIONS**

Delete: E3.2.1(a)

Delete: E3.3

#### **QUESTIONS AND ANSWERS**

Q1: Will the City consider deletion of Special Condition D 20.5.1 since this indemnity term is not negligence-based or tied to Consultant's fault at all? Such a broad indemnity could result in un-insurable indemnity claims under professional liability insurance. It would be in the parties' best interest to maintain access to such policy.

A1: External funding is not anticipated for this Work. Therefore, D20.5.1 is not applicable to this Contract.

Q2: Can the City confirm that the cost for procuring legal services for the contract development will be the responsibility of the City?

A2: The City will provide legal services for the Contract Finalization services under E3.6. The Consultant shall be responsible to develop the draft Contract (appended to the Merchant RFP) with considerations towards risk and liability based on their experiences developing similar contracts.

Q3: The City has requested that fixed fees be submitted for Section E4. This section is very broad and appears to be a list of on-call technical support services. In many cases the specific scope of work is unknown at this time or cannot be clearly defined to be appropriately costed. Can the City provide a recommended number of hours to be assumed for the work included in Section E4 for the basis of costing?

A3: Given the proposal evaluation criteria under B21.1, the City is relying on the Proponent's expertise to define the level of effort required under Section E4. Work in addition to that defined (under the fixed fees) by the Proponent in their proposal will be subject to consideration as a change to scope of services.

Q4: Is it mandatory to supply 2 reference names? Will the project be evaluated if there is only one name provided?

A4: See revision to B9.2(g) above.