



Town of Antigonish

274 Main Street
Antigonish, N.S.
B2G 2C4



POLICY ON TENDERS AND/OR QUOTATIONS

General Statement of Policy

Adoption of this policy by Town Council cancels any previous policies.

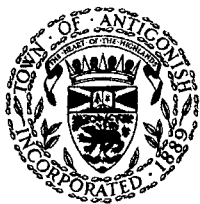
Definitions

- 1) ***Tenders shall be defined as an advertised request for offers from individuals, groups or business entities on goods to be purchased or services to be provided or any combination thereof. In all cases, tender documents shall be issued by the Town in which a detailed description shall be given of the project, task or function.***
- 2) ***Quotations shall be defined as any unadvertised request for an offer from individuals, groups or business entities on goods or services or some combination thereof.***

Tender Guidelines

- 1)a) ***Town Council shall call tenders for the purchase of goods or supply of service or some combination thereof, when the value of such is expected to be greater than \$20,000.00.***
- b) ***Town Council shall adhere to the Provincial requirement that goods and services over \$100,000 and construction contracts over \$250,000 be advertised through the Provincial Electronic Tendering System.***
- c) ***As a minimum the tenders shall be advertised in a newspaper having circulation in the Town and posted on the electronic bulletin board maintained by the Province of Nova Scotia. The number of advertisements placed shall be decided upon on an individual tender basis as will the question of which newspapers to use. Also, it shall be noted in any such advertisement that a 5% local preference may apply to contracts up to \$20,000.***





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- d) *Staff shall be authorized to send tender documents to firms and other entities when and where it is believed that same would have an interest in responding to the tender and where no fee is required to attain the tender documents.*
- e) *A fee or deposit may be charged to interested parties prior to being given tender documents.*
- f) *The tender documents shall state when tenders close and when and where the tender submissions are to be opened and that anyone may attend the opening.*
- g) *Tenders received shall be marked with the time and date of acceptance.*
- h) *Tenders shall be opened at the time and place specified in the tender documents and the following persons must be in attendance:*
- At least one (1) of the Mayor, Deputy Mayor or Committee Chairman, and*
 - At least one (1) of the Clerk, Deputy Clerk, Town Engineer or Town Comptroller.*
- i) *In those situations where a tender(s) cannot be opened at the time and place specified, said opening shall be scheduled as soon as possible thereafter.*
- j) *Tenders received after the closing time as advertised shall be returned unopened to the bidder.*
- k) *Only those tenders submitted in the proper form and including all the information, and meeting the requirements as stated in the tender shall be considered.*





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- l) Once all of the tender submissions have been opened, the appropriate member(s) of Town Staff shall be required to review the submissions for any errors or omissions.*
- m) Committees or Commissions of Town Council may only make recommendations to Town Council on awarding tenders.*
- n) Town Council must by way of motion approve the awarding of any tender.*
- o) Tender documents must declare that any entity carrying out work for the Town must have in their possession or be in the process of completing a Certificate of Recognition and that to provide compliance with this all such companies or persons must provide a Letter of Good Standing from the Nova Scotia Construction Safety Association.*
- p) The tender documents shall state that the Town reserves the right not to award a tender but rather may (1) choose not to proceed with the procurement of the goods or services or (2) may decide to make changes in the scope of the work being considered and choose to again call tenders.*
- q) The tender documents shall state that the Town reserves the right not to award the tender to the lowest bidder due to financial considerations, work force, equipment, expertise or reputation of this bidder.*
- r) The tender documents shall state that a 5% local preference may apply to contracts up to \$20,000.*
- s) All bidders shall be notified in writing of the Town Council's decision on a tendered matter.*





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Quotations Guidelines

2. a) *Town Council may direct that quotations be attained for the procurement of material, service(s) and/or equipment when the value of such is expected to be under \$20,000.*
- b) *Notwithstanding Section 2 (a), an employee of the Town may on his/her initiative attain quotations from interested parties.*
- c) *Quotations attained as directed by Town Council must be in writing and quotations attained without Council's direction may be written or unwritten.*
- d) *Those individuals or companies wishing to provide quotations to the Town must have in their possession or be in the process of completing a Certificate of Recognition and that to prove compliance with this all such companies or persons must provide a Letter of Good Standing from the Nova Scotia Construction Safety Association.*
- e) *There will be no need for advertising where quotations are concerned.*
- f) *A record shall be kept of all quotations received and shall include the date, amount quoted and any other necessary information.*
- g) *Written quotations may be viewed immediately and can be opened by employees without an elected official in attendance.*
- h) *Incomplete quotations will not be accepted.*
- i) *Town Council reserves the right to:*
- (1) *proceed with the procurement of those goods and services on which quotations were attained;*





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- (2) *dismiss all quotations received and again call for quotations,
or*
- (3) *decide not to proceed with the matter at all.*
- j) *Where a bidder is chosen through the quotation process, Council reserves the right to choose any of the quotations received.*



March 22, 1999

Mr. Brian MacNeil
Clerk Treasurer
Town of Antigonish
274 Main Street
Antigonish, N.S. B2G 2C4

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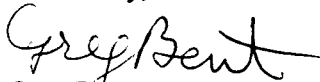
As you may be aware Ministers responsible for Internal Trade agreed a year ago to extend coverage of the procurement provisions of the Agreement on Internal Trade (AIT) to the Municipal, Academic, Schools and Hospitals (MASH) level within a reasonable period of time. This process has now been completed and a copy of the Agreement as well as a summary sheet has been attached for your information and use. In crafting this document every effort has been made to address concerns expressed by municipal groups. Accordingly, you will find administrative, dispute and reporting obligations have been kept to an absolute minimum or eliminated altogether.

For purposes of this agreement an implementation date of July 1 has been established. For the municipal level this essentially means that high value contracts are to be publicly tendered through an electronic tendering system and according to established and consistently applied rules to ensure an open, competitive process. This is compatible with the approach being taken by most municipalities to procurement.

To assist in the posting of requirement and contracts, the electronic bulletin board maintained by the Province will be made available to MASH entities and the Department of Finance will on request, assist, at no charge, municipalities in such preparations. As general information, however, we have attached the general specifications which will apply to a municipality choosing to develop its own procurement website.

In terms of leadup to implementation we would see this letter being followed by one from the Minister of Economic Development and Tourism to municipal leaders as well as an ongoing commitment by ourselves to be available to make presentations and answer questions. It would be our intention to take advantage of an invitation from the AMA to make a presentation at the May spring workshop. We would also be pleased to attend any regional and other meetings and to directly answer any questions you may have in the coming weeks and months. Greg Lusk can be reached at 902-424-5731, fax 902-424-0780, email lusk@gov.ns.ca, and Greg Bent at 902-424-8669, fax 902-424-5739, email gbent@gov.ns.ca.

Yours truly,

Greg Bent
Provincial Trade Representative
Department of
Economic Development & TourismGreg Lusk
Executive Director Procurement
Department of Finance

Agreement on Internal Trade (AIT)

Implications for Municipalities.

1. Thresholds for public tenders
 - \$100,000 - goods or service
 - \$250,000 - construction
2. Each entity will need to have established rules and processes
3. Use of an electronic notice system required
 - can be own
 - province's
 - Merx (National Electronic Tendering System)
 - other
4. Processes must be open, fair and not evaluate location of supplier
5. Dispute settlement processes will be available, at provincial expense
6. Use of economic development exception will need to be coordinated with province

March 25, 1999

Agreement on Internal Trade

March 1, 1999

The MASH Annex

Proposed Standards for Electronic Tendering Systems set up by MASH entities

All Electronic Tendering Systems must:

- be Internet based
- be accessible 24 hours a day and seven days a week.
- be updated as often as the operational requirements of the site require it and anytime there is a change to the tender notice.
- provide a "hot link" to MERX and to any electronic tendering system managed by the province where the entity is located.
- allow for free browsing by suppliers, similar to what is provided on the MERX or provincial systems.
- allow suppliers to locate quickly and easily the following information which is required to be included in each tender notice:
 - (a) a brief description of the procurement contemplated;
 - (b) the place where a person may obtain information and tender documents;
 - (c) the conditions for obtaining the tender documents;
 - (d) the place where the tenders are to be sent;
 - (e) the date and time limit for submitting tenders;
 - (f) the time and place of the opening of the tenders in the event of a public opening; and
 - (g) a statement that the procurement is subject to the MASH Annex.

All tender notices posted on an electronic tendering system must:

- contain, at a minimum the information listed in the preceding point and which is required to be included in each tender notice.
- refer in their tender notice to the group and class levels of the GSIN codes (4 digits) for each specific procurement.
- assign a reference number to each tender. That reference number must be unique to each tender of any one entity for a period of up to 3 years.
- those entities who have Standard Terms and Conditions are encouraged to include such standard terms and conditions in the tender notice.

In addition, if an entity chooses to post notices of contract award on their Electronic Tendering System, then the following shall apply:

- the notice of award shall be easily accessible on the System.
- the notice of award shall contain at least the following information: name of vendor, total amount of contract, date of award, and tender reference #.