



# REQUEST FOR PROPOSAL

Engineer of Record

Prepared by the Corporation of the  
Municipality of Powassan

250 Clark Street, P.O. Box 250, Powassan, ON  
POH 1Z0

## **1. Purpose of Request for Proposal**

The Municipality of Powassan is inviting proposals to provide engineering consulting services on an as-needed basis. The proposals are to be based on the specifications contained in this document. The term of the contract will be two (2) years, commencing October 1, 2023 and terminating on September 30, 2025.

## **2. Information and Instructions**

### **2.1 Background Information**

The Municipality of Powassan was created in 2001 through the amalgamation of the former towns of Trout Creek and Powassan and the Township of South Himsworth. The Municipality is a small urban/rural community with a population of approximately 3,200. It is located approximately 3 hours north of Toronto and 20 minutes south of North Bay.

The Municipality is governed by a Mayor and four Councillors. Residents are provided all standard municipal services, including water and sewer services.

The Powassan and District Union Public Library (the Library) is a proportionately consolidated joint board, shared with the Township of Nipissing and Township of Chisholm. Separate audited financial statements are required for the Library.

Additional information on the Municipality can be found on the municipal website:

<https://www.powassan.net/>.

### **2.2 Submission of Proposals**

Proposals shall be submitted in the form and format specified in Section 4 and shall include a completed Form of Proposal attached as Appendix A to this document. A designated signing officer authorized to bind the Respondent to the provisions of their Proposal must sign the Form of Proposal. Any addenda issued by the Municipality of Powassan in accordance with Section 2.5 must be acknowledged by the Respondent on the Form of Proposal.

Each Respondent is asked to submit one (1) hard copy and one (1) electronic copy of the Proposal. The hard copy of the Proposal must be signed, sealed, and delivered to:

The Municipality of Powassan  
250 Clark Street, PO Box 250  
Powassan, ON P0H 1Z0

The front of the sealed envelope must indicate the Respondent's full company name, the name of the lead contact, and be clearly marked 'Request for Proposal- Engineer of Record'.

The hard copy of the Proposal must be received no later than 4:00 PM local time on August 18, 2023. The electronic copy of the proposal is to be emailed by the submission deadline to the Lead Contact as identified in Section 2.3 below.

It is the responsibility of the Respondent to ensure that the Municipality receives its Proposal prior to the submission deadline, in accordance with the submission process outlined above. Proposals received after the submission deadline will not be considered and will be returned unopened. Faxed or electronic submissions that are unaccompanied by a hard copy submission will not be accepted as a response to this RFP.

### **2.3 Lead Contact**

The Municipality of Powassan has endeavoured to provide complete and correct information necessary for Respondents to properly assess and determine the scope and complexity of work prior to submitting a Proposal.

Respondents are solely responsible for determining if more information is required or if anything contained in this document appears incorrect or incomplete, and for contacting the Lead Contact identified below if they have any questions whatsoever prior to the closing date.

Information obtained from any source other than the Lead Contact is not official and may be inaccurate. The Municipality will not be responsible for any verbal statement, instruction, or representations.

All inquiries for this RFP must be directed by email to:

Brayden Robinson  
Treasurer/Director of Corporate Services  
brobinson@powassan.net

A Respondent may be disqualified if, during the period between the issuance of this Request for Proposal and the date of notification of the award, they contact any individual who is involved in this RFP process and who is not the Lead Contact. This is to ensure that all Respondents receive the same information and are treated equitably.

### **2.4 Required Review and Clarification**

It is the responsibility of each Respondent to carefully review this RFP. Questions concerning clarification of the contents of this document must be received by the Lead Contact by no later than 4:00 PM local time on July 19, 2023. This is to allow time for the issuance of any necessary addenda.

In submitting a Proposal, the Respondent acknowledges that they have read, completely understand, and accept the terms and conditions of the RFP in full. The Municipality of Powassan is not responsible for any misunderstanding of the RFP.

## **2.5 Amendments to the RFP**

The Municipality may issue addenda to clarify and/or modify certain aspects of the RFP prior to the submission deadline. Addenda shall be posted by 4:00 PM on July 24, 2023 to [www.powassan.net](http://www.powassan.net) and shall be available in hard copy format at the municipal office.

## **2.6 Opening of Proposals**

There will be no formal opening of proposals. Proposals will be evaluated and a recommendation brought to Council at the September 5, 2023 regular meeting. Respondents are welcome to attend this meeting at their own cost.

## **2.7 Rights of the Municipality of Powassan**

The Municipality of Powassan reserves the right to:

- a) Make public the names of any or all Respondents and their quoted fees;
- b) Verify with the Respondent or with a third party any information set out in their Proposal;
- c) Disqualify any Respondent whose Proposal contains misrepresentations, any other inaccurate or misleading information, or any qualifications;
- d) Disqualify any Respondent who has engaged in conduct prohibited by this RFP;
- e) Make changes, including substantial changes, to this RFP provided that those changes are issued by way of addenda in the manner set out in this RFP;
- f) Select a Respondent other than the Respondent whose Proposal reflects the lowest cost to the Municipality;
- g) Cancel this RFP process at any stage;
- h) Cancel this RFP process at any stage and issue a new RFP for the same or similar deliverables;
- i) Accept or reject any or all Proposals in whole or in part;
- j) Discuss with any Respondent different or additional terms to those contemplated in this RFP or in any Respondent's Proposal;
- k) If a single Proposal is received, reject the Proposal of the sole Respondent and cancel this RFP process or enter into direct negotiations with the sole Respondent; and
- l) Enter into negotiations with the selected Respondent to obtain cost savings, additional services, or any other matter.

These reserved rights are in addition to any other expressed rights or any other rights which may be implied in the circumstances.

## **2.8 Not Responsible for Costs**

The Municipality shall not pay any costs associated with the preparation, submission, or presentation of the Respondent's Proposal. The Municipality shall not be liable for any expenses, costs, or losses suffered by the Respondent or any third party resulting from the Municipality exercising any expressed or implied rights under this RFP.

## **2.9 Proposal Expiry Date**

Respondents hereby acknowledge that their Proposals shall be irrevocable for a period of 90 days after the submission deadline. Extensions to this period may be granted with the mutual agreement of the Municipality of Powassan and the successful Respondent and may be initiated by either party.

## **2.10 Confidentiality and Ownership**

Any information provided to the Respondent by the Municipality before, during, or after the RFP is completed shall be treated as confidential and shall not be used or communicated by the Respondent or any third party in any way unless otherwise identified or permitted by the Municipality of Powassan or under Federal/Provincial legislation. Information, reports, documentation, plans, etc. that are produced by the successful Respondent in response to this RFP shall become the exclusive property of the Municipality of Powassan. However, intellectual property such as specific tolls, templates, and processes that the Respondent provides as part of the deliverables remains the property of the Respondent if so requested.

## **2.11 Freedom of Information**

Any personal information required in the Proposal is received under the authority of the Municipality of Powassan. This information shall be an integral component of the submission. All written Proposals received by the Municipality become a public record. Once a Proposal is received by the Municipality and the contract has been awarded, all information contained in the Proposals may be available to the public, including personal information. Questions about the collection of personal information and the Municipal Freedom of Information and Protection of Privacy Act, 1989, R.S.O. 1990, as amended may be directed to the Lead Contact.

## **2.12 Extension of Contract**

The Municipality may, jointly or independently, negotiate the extension of the contract with the successful Respondent for a period of time to be decided by those parties. The decision to extend the contract may be based in full or in part on the results of the successful Respondent's performance over the duration of the contract.

## **2.13 Termination of Contract**

The Municipality reserves the right to immediately terminate a contract with the successful Respondent for sufficient cause, including but not limited to non-performance, late deliveries, inferior quality, and fee issues. Either party may terminate a contract by providing the other party with 90 calendar days' written notice including the reason for termination.

## **2.14 Additional Requirements**

- a) The use of qualified sub-contractors by the Respondent to perform specific duties while under contract is permitted only if the Respondent declares such use in the Proposal or if the successful Respondent receives written approval from the Municipality.

- b) The successful Respondent shall, throughout the term of the contract, obtain and maintain in force a General Liability Insurance and/or Professional Liability Insurance coverage of not less than \$5,000,000 per occurrence inclusive, to indemnify and hold harmless the Municipality against any liability which may arise from the successful Respondent's activities under this contract. The successful Respondent must provide a certificate of insurance within 30 days of awarding the contract.
- c) The successful Respondent shall ensure that all services and products provided in respect to this proposal are done so in accordance with and under the authorization of all applicable authorities, municipal, provincial, and/or federal legislation, including but not limited to WSIB and all applicable responsibilities under the Occupational Health and Safety Act.

### **2.15 Proposed Timeline**

The timeline set out below is the Municipality's best estimate of the schedule that will be followed. It is intended to be for guidance purposes only.

RFP Issue Date	July 4, 2023
Deadline for submission of questions (see Section 2.4)	July 19, 2023
Deadline for addend to be posted on the Municipality website (see Section 2.5)	July 24, 2023
Submission Deadline	August 18, 2023
Recommendation taken to Council	September 5, 2023
Notification of Award	Within ten (10) calendar days following Council decision

### **2.16 Contract for Consulting Services**

The successful Respondent shall enter into a Consulting Services Contract with the Municipality of Powassan following award of this RFP. The contract will cover a range of issues including but not limited to fees and rates, notice of staff changes, Contract term and renewal, and Contract cancellation. The Contract will require the successful Respondent to acknowledge the Municipality of Powassan's right to direct specialized work, large projects, or other necessary projects to a competitive procurement process. If mutually acceptable terms and conditions can be reached between the successful Respondent and the Municipality of Powassan, the Contract shall be signed. In the event of a failure to arrive at a mutually acceptable Contract, the Municipality of Powassan may accept a Proposal from a different Respondent or carry out the work in any other way deemed appropriate by the Council of the Municipality of Powassan.

### **3. Scope of Work**

The Corporation of the Municipality of Powassan will retain a qualified Consulting Engineer as an Engineer of Record to provide expertise in various engineering sub-fields for a two (2) year term. The successful Respondent shall answer specific municipal requests for information and conduct studies as requested. Prior to commencement of any assignment, the successful Respondent shall provide the Municipality of Powassan with a summary of the assignment scope of work and estimate of costs. Authorization shall be required from the Municipality of Powassan prior to the successful Respondent commencing work on the assignment. Although the exact nature of duties may vary with shifting municipal requirements and applicable legislation, in general the successful Respondent will be required to provide technical expertise in, as a minimum, the following:

- a) Road design and inspection, traffic study and analysis
- b) Geotechnical/hydrological services
- c) Building design and inspection
- d) Surveying- must have Ontario Land Surveyor designation
- e) Culvert and bridge design and inspection, including OSIM reporting once every two years
- f) Municipal water system design and inspection
- g) Sanitary sewer collection systems design and inspection
- h) Environmental assessment (EA) and general environmental studies
- i) Pit and quarry planning and analysis, including site plan and license application preparation
- j) Asset management and capital planning for roads, bridges, and buildings
- k) CAD design and GIS mapping services

The Municipality of Powassan reserves the right to submit any engineering work, either within or outside the scope of work contracted through this RFP, to a competitive process. The successful Respondent shall be permitted to submit a bid for any such external competitive process.

### **4. Submission Requirements**

Respondents are asked to submit a proposal which contains all of the information detailed below.

#### **4.1 Format**

The Municipality discourages overly lengthy and costly proposals. In order for the Municipality to evaluate all proposals fairly and consistently, Respondents should follow the format set out herein and provide all of the information as requested. Respondents are encouraged to provide any additional information not specifically outlined in this RFP that they believe would be of value in evaluating their Proposal.

## **4.2 Professional and Corporate Information**

Proposals must include information of a general nature on the current staffing and projects of the firm. This should also incorporate contact information for the Respondent and a general description of the corporate practice. For comparative purposes, Respondents are requested to describe their experience and resources as it relates to key areas of responsibility as outlined in the Scope of Work, and specifically pertaining to the municipal sector.

In addition, specific information shall be included with respect to those staff members who are proposed to have direct responsibility for the Municipality, including:

- Name and credentials, including areas of expertise
- Training and experience
- Position in the firm
- Proposed relationship to the client
- Individual fee scale, where applicable
- Anticipated general area of responsibility on behalf of the Municipality

## **4.3 Conflict of Interest**

The Proposal must include a discussion of the Respondent's perception of "conflict of interest". This must include the Respondent's anticipation of future activities of the firm which may be perceived to be linked to the Respondent's knowledge of the Municipality, and how the Respondent would deal with such cases. The Municipality expects that all attempts would be made to avoid conflicts and that the Municipality's interests would be the primary concern of the successful firm.

## **4.4 Fee Structure**

Proposals shall include a detailed description of all costs and the recommended method for billing. There is an expectation that fees will remain constant for the duration of the contract. For comparative purposes, it is preferred that cost information be reported in the following manner:

- Details on services or projects to be provided on a flat-rate lump sum fee rate.
- Services to be charged at an hourly rate, and the rates to be charged. Include the firm member, rate, and areas of responsibility.
- Cost to attend Council meetings, including mileage rates and other costs if applicable.
- Disbursement items and costs associated with referrals and other specific items that were not reported elsewhere.
- Regular invoice structure, and other charges or charging methods proposed.

## **4.5 References**

Respondents should provide three (3) contact names and phone numbers to provide reference to the Respondent's services. At least two (2) of these references must be from the Ontario broader public sector. The Municipality may contact any or all of the references provided in its evaluation of the Proposal.



## **5. Evaluation Criteria**

As part of the evaluation process, the Municipality may contact one or more Respondents to clarify or obtain more information about their Proposal or substantiate any details contained therein. Discussions will only be held with Respondents who have submitted a Proposal deemed reasonably acceptable for award.

The Municipality of Powassan may make their award(s) on the basis of the Proposals, without seeking additional information and/or clarification. Therefore, each initial Proposal should reflect the best efforts of the Respondent and include all required documentation as set out in the RFP.

The evaluation committee will make a recommendation to Council on the basis of the criteria identified below.

- a) A demonstration that the needs of the Municipality are understood and will be met.
- b) The identification of any advantages or features uniquely proposed by the Respondent which have not been identified in the RFP document.
- c) A demonstration that the Respondent is able to provide the required services.
- d) The Respondent's experience and knowledge as it relates to the scope of work.
- e) The completeness and reasonableness of the fee schedule.

## Schedule A: Form of Proposal

The Municipality of Powassan is inviting proposals for an engineer of record. The contract is anticipated to be in force beginning on October 1, 2023 and ending on September 30, 2025.

I/We, the Undersigned, having examined this Request for Proposal, do hereby offer to enter into an agreement with the Municipality of Powassan to provide services under the terms included in this RFP.

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Authorized Representative of Firm

I have authority to bind the Firm.

\_\_\_\_\_  
Name of Witness (Please Print)

\_\_\_\_\_  
Name of Authorized Representative of Firm (Please Print)

\_\_\_\_\_  
Address of Witness (Please Print)

\_\_\_\_\_  
Title of Authorized Representative of Firm (Please Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Receipt of any issued addenda shall be acknowledged by initialing in the space provided below.

Adden. No. 1 \_\_\_\_\_ Adden. No. 2 \_\_\_\_\_ Adden. No. 3 \_\_\_\_\_