



POLICY:
SUBJECT:

FEF
CONSTRUCTION CONTRACTS
AND BIDDING AWARDS

APPROVAL DATE:
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1. PURCHASING PROCEDURES

In accordance with the Public Schools Act, the School Board in the discharge of its duties under this Act shall at all times use the following procedures:

- (a) All purchases of personal property and contracted services shall be made in the most economical manner possible;
- (b) Where the cost of personal property or services mentioned in clause (a) exceeds \$50,000.00 competitive offers for such property and services shall be obtained, except in emergency situations, by public tender.
- (c) All offers received pursuant to Clause (b) shall be tabulated for ready reference for presentation to the School Board.

2. TENDERS CONFORMING WITH SPECIFICATIONS

That all tenders for supplies and buildings, presented to the Board for approval, and the awarding of contracts, must conform to the Division's specifications. The Division may request clarification of a bid, however, only clarifications which do not change the substance or price of a bid may be requested and accepted. A clarification is acceptable only if it is an explanation of some existing aspect of the bid that does not amount to a substantive revision or modification of the bid. Any response which leads to a substantial change in the bid is considered bid repair and must not be considered in the bid evaluation

3. APPROVAL OF SCHOOL BOARD REQUIRED

No money shall be spent or authorized to be spent on any contract or agreement involving payment of the sum of \$50,000.00 or more without obtaining the approval of the Board



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Rules and regulations governing procedures for Construction Contract Bidding Awards as determined by the Chief Superintendent.

1. All tenders will be advertised on the Division's website.
2. **Deposit for Plans and Specifications**
All bidders are required to make a deposit of an amount to be determined by the Consultant before plans and specifications for new buildings, additions or major alterations will be supplied to them. The deposit will be refunded upon return in good condition of said plans and specifications.
3. **Bid Form**
The Winnipeg School Division will supply all bidders with a Bid Form which will be filled out, signed by the bidder and placed in an envelope, sealed and marked, "Proposal for...", and delivered to the office of the Secretary-Treasurer of The Winnipeg School Division, 1577 Wall Street, E., for opening at the time indicated in the advertisement.

The General Contractor shall indicate the names of all sub-contractors proposed to be used for each of the trades listed on the Bid Form.
4. **Tender Closing Date**
Closing time for the tender for the General Contract and Sub-Trade tenders will be published in the Notice for Tenders.
5. **Public Opening of Tenders**
Tenders for new school buildings, additions to school buildings and renovations or alterations to school buildings in excess of \$500,000.00 shall be opened publicly by a committee of three which shall include the Chairperson of the Board (or designate) and at least two Administrative Officials.
6. **Tender Openings - Administrative**
All tenders other than those under 4. above shall be opened by three Administrative Officials comprised of the Secretary-Treasurer (or designate), the official (or designate), who is responsible for the expenditures of the funds, and an administrative official appointed by the Chief Superintendent of Schools.

All tenders presented to the Board will be available to the public and will include the name of the bidder and the amounts, as well as identify the successful bidder.
7. **Bid and Contract Security**
When the Division expects that the amount of a tender related to building construction and/or renovations will exceed \$50,000, the following requirements will apply:
 - A bid bond in the amount of 10% of the bid price will be required to accompany the tender.
 - The successful bidder shall be required to provide the Division within 7 days of being requested to do so, a Performance Bond valued at 50% of the contract price.
 - If the contract price exceeds \$250,000, the successful bidder will be required to in addition to providing a Performance Bond, provide the Division with a Labour and Material Payment Bond for 50% of the contract price.



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8. Equivalent Materials

Materials, methods and equipment are specifically described and named in the project specifications for the purpose of establishing a standard of materials and workmanship to which the Contractor shall adhere and not for the purpose of limiting selection.

9. Awards

The School Division reserves the right to reject any or all tenders received. The lowest tender is not necessarily accepted where it does not meet the specifications of the tender. The Division also reserves the right to select sub-contractors and/or alternative materials. For purposes of selecting the General Contractor, only requested alternative materials or methods submitted with the tender will be considered.

10. Province of Manitoba Construction Safety Certification and Apprenticeship Training Practices

School Division building construction and/or renovation project tenders shall conform to the Province of Manitoba safety certification and apprenticeship training policies.

11. No Employee/Officer of the Division or member of the Board shall accept any gratuities, financial or otherwise from any supplier of materials or services.

12. Non-tendered items will be issued by the school by initiating a purchase order.