SPEC NOTE: This section includes provisions for receipt of sub-trade tenders through a New Brunswick Construction Association bid depository. Edit as required for projects not required to have tenders through the bid depository.

SPEC NOTE: Items in brackets [ ] require editing. Delete brackets in final version

# INVITATION

## Bids will be received by **email only** at: **constructionbidssoumissions@snb.ca**

SPEC NOTE: Public Tenders will have closing time posted on NBON. Projects “by invitation” will have closing time written on the letter of invitation prepared by DTI. Choose one of the two options in the following paragraph. Public Tenders are required for projects estimated at $100,000 and over. Projects of less than $100,000 can be public or by invitation. Coordinate with the DTI project manager. Refer to Construction Services Regulation – Procurement Act for more details.

## Tenders will close precisely at time and date specified [on the New Brunswick Opportunities Network (NBON)] [on the letter of invitation]. No submissions will be accepted after that time.

## There will be no public openings.

## The results of the tenders will be posted on NBON within 5 business days after the opening of the bid submissions.

## Amendments to bid submissions will be permitted if received in writing prior to bid closing and signed by the person who signed the original bid submission or by a person authorized to sign on their behalf.

SPEC NOTE: Always verify the minister and Department name before submitting for review. Add the minister and Department name from which the project is initiated.

## Ministers:

 Hon. Richard Ames

 Minister of Transportation and Infrastructure

 Hon. [Second Minister]

 Minister of [ ]

SPEC NOTE: Page 1 of this section should finish with the Ministers. Article 1.2 should start on page 2.

# CONTRACT/TENDER DOCUMENTS

## Availability:

SPEC NOTE: Use the following paragraphs (items .1, .2 and .3) for public Tenders. Delete when tender is “by invitation”.

### Calls for tender will be posted on NBON.

### Hard copies of tender documents will not be available from DTI nor SNB. Arrangements for tender packages can be made via The Construction Association of New Brunswick (CANB).

### DTI will not be creating a registered bidders list. Alternatively, contractors who intend to bid a project are to advise CANB of their intent. CANB will post those company names on the (CINET) for sub-contractors and suppliers.

SPEC NOTE: Use the following paragraph for tenders by invitation. Delete for public tenders.

### Project Specific Tender Documents are included with this package. Standard documents are available on DTI website or through SNB Buildings Construction as described below.

SPEC NOTE: delete the following paragraph when it does not apply.

### A copy of [soils investigation report] [subsurface exploration report] [environmental analysis] [building evaluation report] is available through SNB Buildings Construction at the following email: **Constructionquestions@snb.ca**

## Standard documents

### The following listed STANDARD DOCUMENTS form an integral part of the Contract Documents. They shall be read in conjunction with and shall govern each division of the specification together with the drawings. These "STANDARD DOCUMENTS" are not bound with the Tender Documents.

### Always verify the revision date of the "STANDARD SPECIFICATIONS" front end document on the web site. This document will be revised periodically. Always verify, read or download before bidding. Downloading it once will not suffice for all projects.

|  |  |
| --- | --- |
|  | STANDARD CONSTRUCTION CONTRACTS Documents can be requested by emailing: Constructionquestions@snb.ca |
|  | Item | Section | Description |
|  | 1 |  | Articles of Agreement |
|  | 2 |  | Terms of Payment "A" |
|  | 3 |  | General Conditions "B" |
|  | STANDARD SPECIFICATIONS Documents can be found on DTI website: [www.gnb.ca/buildingstandardspecs](http://www.gnb.ca/buildingstandardspecs) |
|  | Item | Section | Description |
|  | 4 | 00 01 11 | Table of content |
|  | 5 | 00 22 13 | Supplementary instructions to bidders |
|  | 6 | 00 73 17 | Insurance schedule “E” |
|  | 7 | 00 73 37 | Supplementary conditions “C” |
|  | 8 | 00 73 44 | Fair wage requirement “D” |
|  | 9 | 01 00 02 | Standard general requirements |
|  | 10 | 01 35 31 | Fire safety requirements |
|  | 11 | appendix | Irrevocable standby letter of credit |

## Examination:

SPEC NOTE: Use the following paragraphs (.1, .2 and .3) for public tenders. Delete paragraph .1 for tenders "by invitation".

### Tender Documents will be available for electronic viewing through the applicable Builders Exchanges throughout the Atlantic Provinces. Viewing of hardcopies may be possible on some projects; Contact your local Association.

### Upon receipt of Tender Documents, verify that documents are complete.

### Bidders finding discrepancies, ambiguities or omissions in the documents, or having any doubt as to the meaning or intent shall notify at once the individual noted on the front page under the title "Direct questions on drawings and specifications to:".

## Queries/Addenda:

### Direct questions on drawings and specifications to the person listed on the cover page.

### Direct questions on tendering process to SNB Buildings Construction at the following email: **Constructionquestions@snb.ca**

### Correspondence by email is preferred, however SNB Buildings Construction can also be reached at the following phone number (506) 461-7296. Fax is not available.

### Addenda may be issued during Bidding period. Addenda will become part of Contract Documents. Include costs in Tender Price.

### Verbal answers are only binding when confirmed by written addenda.

### Clarifications requested by Bidders must be in writing not less than seven days before date set for receipt of Bids. A response, if deemed necessary, will be in form of an addendum.

### SNB will post addenda on NBON; it will not be sent directly to bidders.

SPEC NOTE: Amount of days may be required to be modified depending on the project size, or if project is "by Invitation". It's been known to be reduced to 5 days on projects "by invitation" and even less on small projects. Only modify as per directives from Department of Transportation and Infrastructure - Buildings Division Project Manager. Edit to suit when applicable.

## Product/System Options:

### Where the Tender Documents stipulate a particular product, written requests for substitutions will be considered by the consultant up to 10 working days before bid closing. Such requests shall be accompanied by complete descriptive and technical information so that a proper evaluation can be made.

### In submission of substitutions to products specified, Bidders are to include in their Tender Price changes required in work to accommodate such substitutions. Later claim by Bidder for addition to Contract Price because of changes in work necessitated by use of substitutions will not be considered.

### The successful Contractor will be held to furnish under the bid all work as specified. Product not listed by name in the specification must be approved by addenda prior to bid closing by the procedures described herein. All materials and articles of any kind necessary for this work are subject to the approval of the individual noted on front page under the title "Direct questions on drawings and specifications to:" and this judgment and decision will be final. The submission of a bid will be taken as evidence of the Bidders compliance with these terms.

### Bidders are advised that it is their responsibility to ensure to their satisfaction that all trades and suppliers are bidding in conformance to the terms of the contract documents.

# SITE ASSESSMENT

## Before submitting a Tender, visit the site and examine drawings and specifications and study existing conditions and limitations including laws, ordinances and regulations affecting the contract. Include in the tender all items, implied or required, to attain the completed condition required by the Contract.

## Become familiar with available working space, storage space, access facilities and other conditions pertaining to the site relative to the contract.

SPEC NOTE: The following paragraph is intended for site visits required by the bidders that would not require the presence of the Department of Transportation and Infrastructure - Buildings Division representative or consultants. It might be for quantities calculations or similar information required for bidding purposes.

## Site access for reviewing existing conditions is restricted. Access to site must be coordinated with contact person listed on cover page.

SPEC NOTE: Use the following paragraph when a site visit is scheduled. Edit to suit the project. This will be the only occasion where the Department of Transportation and Infrastructure - Buildings Division representatives and all the consultants will be on site at the same time to answer questions on the project. For public tenders, the site visit date and time will be posted on NBON. For projects by invite, the site visit time and date will be included in the letter of invitation prepared by DTI. Edit accordingly. Note that site visits are typically scheduled the earliest of: one week prior to bid depository closing or one week prior to bid closing.

## A site review will be held on the day and time indicated on [the NBON tender notice ] [ the letter of invitation ]. This will be the only opportunity for review of existing site conditions with the Department of Transportation and Infrastructure - Buildings Division representatives and all the consultants present and available to answer questions arising from the review of the site and the Contract Documents. Contact persons are listed on the cover page.

SPEC NOTE: Keep “BID SUBMISSIONS” for all projects

# BID SUBMISSION

## Submit Bids at the email address indicated in article 1.1 – INVITATION of this Section.

## Identify the **project number and project name** in the **Subject** line of the email. Bids missing this information will not be received.

## Send Bid documents as attachments **in PDF only** and not copied and pasted into the body of the email.

## Digitally signed Bid documents or a scan of paper original Bid documents in PDF format are acceptable.

## Ensure scanned documents are legible and capture required information. Any documents not legible may be cause for rejection.

## Send amendments to bids by email to the address indicated in article 1.1 – INVITATION of this Section. Identify the **project number** and **project name** into the **Subject** line. To help facilitate the review process, number the amendments sequentially in the subject line. For example: **Amendment #01 – BY1234 – Project Description**

## No Bid will be rejected if their company name is not listed on the CINET list.

## SNB will not be responsible for emails that have not been received.

## Bidders are solely responsible for delivery of their Bids in manner and time prescribed.

# BID ENCLOSURES/ REQUIREMENTS

## The tender submission must contain the following:

### Tender Form “F” officially signed. Each item on the Tender form must be completed unless noted otherwise. Incomplete tenders will be rejected.

### Required bid security and any attachments as per item 1.6 – BID SECURITY of this Section.

### For projects with a tender value greater than $100,000, a valid letter of good standing in the New Brunswick Construction Safety Association (NBCSA) Certificate of Recognition program (COR), or an equivalent approved by Engineer-Architect as described in article 1.2 CONTRACTOR QUALIFICATIONS of Section 01 35 30 - HEALTH AND SAFETY REQUIREMENTS.

SPEC NOTE: Delete the following paragraph when project does not have a bid depository tender.

### When General Contractor performs the work of a Bid Depository sub-trade, provide a letter indicating qualification requirements are met with the tender.

SPEC NOTE: Delete following paragraph when TENDER FORM “F” does not have a list of sub-contractors.

### When General Contractor performs the work of a sub-contractor listed in Tender Form “F”, provide a letter indicating qualification requirements are met with the tender.

# BID SECURITY

## General:

SPEC NOTE: Use the following paragraphs (items .1, .2 & .3) for tenders estimated equal to or greater than $500,000. Delete paragraphs for tenders estimated less than $500,000 and for tenders "by invitation". Coordinate with Tender Form “F”.

### All tenders must be accompanied by a Bid Bond in the amount of ten percent (10%) of the total tender price.

### Digitally signed Bid Bonds and related documents, or a scan of paper originals are acceptable. Their authenticity will be verified with the associated insurance broker or bonding company prior to award.

### Include cost of Bid Security in Tender Price.

SPEC NOTE: Use the following paragraphs (items .4 to .8) for tenders estimated less than $500,000 and for tenders "by invitation”. Delete for tenders estimated equal to or greater than $500,000. Coordinate with Tender Form “F”.

### All tenders must be accompanied by a bid security in the amount of ten percent (10%) of the total tender price. The bid security may be in the form of a Bid Bond, Certified Cheque, Bank Draft, Money Order or an Irrevocable Standby Letter of Credit.

### Digitally signed Bid Bonds and related documents, or a scan of the paper originals are acceptable. We will verify their authenticity with the associated insurance broker or bonding company prior to award.

### A scan of paper originals of the Irrevocable Standby Letter of Credit, Certified Cheque, Bank Draft or Money Order are acceptable. The paper originals will be obtained by DTI from the successful bidder prior to award of contract.

### A digitally signed Irrevocable Standby Letter of Credit is acceptable.

### Include cost of Bid Security in Tender Price.

SPEC NOTE: always keep the following paragraphs regarding “Bid Bonds”.

## Bid Bonds:

### Bid Bonds must be executed in favour of "His Majesty the King" in the Right of the Province of New Brunswick.

### Bid Bonds shall be purchased from an agent of an Insurance Company licensed to do business in the Province of New Brunswick.

### Bid Bond must be signed by a principal of the company submitting a bid.

### Bid Bond must have the company seal of the company submitting a bid.

### Bid Bonds must be good for a minimum of 21 days from tender closing date.

### Bid Bond shall be accompanied by a letter from an Insurer licensed under the Insurance Act of New Brunswick stating that if the tenderer is awarded the contract, a labour and material payment bond and performance bond will be supplied to the Crown in accordance with the provisions of section 83 of the Construction Remedies Act. This letter must be endorsed by an authorized signing officer and must bear the seal of the bonding Company.

SPEC NOTE: Delete following paragraphs regarding “Irrevocable Standby Letter of Credit” for tenders estimated equal to or greater than $500,000.

## Irrevocable Standby Letter of Credit (ISLC)

### Irrevocable Standby Letter of Credit (ISLC) must be executed in favour of "His Majesty the King" in the Right of the Province of New Brunswick.

### The Irrevocable Standby Letter of Credit must be issued or endorsed by any of the following persons, within the meaning of the Canadian Payments Act (Canada) with an office open for business in New Brunswick: a bank or an authorized foreign bank; a loan company or trust company that is a member of the Canadian Payments Association; or a local cooperative credit society that is a member of a central that is a member of the Canadian Payments Association.

### When using Irrevocable Standby Letter of Credit as a bid security, the Department of Transportation and Infrastructure - Buildings Division will only accept the blank form supplied in the Standard Specification.

SPEC NOTE: Delete following paragraphs regarding “Certified Cheque” for tenders estimated equal to or greater than $500,000.

## Certified Cheque

### Certified Cheques must be made payable to the Minister of Finance and Treasury Board, Province of New Brunswick.

### The Certified Cheque will be held by the Owner as security for the due performance of the work by the Contractor for the full duration of the contract.

### The Certified Cheque may be cashed at the Department's discretion, being reimbursed back to the Contractor upon substantial completion of the project.

SPEC NOTE: Delete following paragraphs regarding “Bank Drafts and Money Orders” for tenders estimated equal to or greater than $500,000.

## Bank Drafts and Money Orders

### Bank drafts and money orders issued by a financial institution recognized by Payments Canada are considered an acceptable form of bid security.

### All bank drafts and money orders shall be made payable to the Minister of Finance and Treasury Board.

### It is important to note that money orders from Canada Post, Western Union, or any other institution not recognized by Payments Canada will not be accepted.

### Bank drafts and money orders will be held by the Owner as security for the due performance of the work by the Contractor for the full duration of the contract.

### Bank drafts and money orders may be cashed at the Department's discretion, being reimbursed back to the Contractor upon substantial completion of the project.

# PERFORMANCE ASSURANCE

SPEC NOTE: always keep the following two paragraphs regarding bonds.

## When a Bid Bond is used as Bid Security, the Contractor shall, within fourteen (14) days from notification of acceptance, furnish the Owner with a Performance Bond and a Labour and Materials Payment Bond according to Section 83 of the New Brunswick Construction Remedies Act, notably:

### Issued by an insurer licensed under the NB Insurance Act.

### Each bond having a coverage limit of at least 50% of the contract price.

### In the form prescribed by NB regulation 2021-81 (form 19 & form 18)

## Performance Bond and a Labour and Materials Payment Bond will be held by the Owner as security for the due performance of the work by the Contractor for the full duration of the contract.

SPEC NOTE: Delete the following paragraphs for tenders estimated equal to or greater than $500,000.

## Contractors using a Certified Cheque, bank draft, money order or an Irrevocable Standby Letter of Credit (ISLC) as Bid Security may, at their discretion and within 14 days, substitute a Performance Bond and Labour and Material Payment Bond in lieu of having their bid security held by the Owner as security for the due performance of the work.

SPEC NOTE: Delete the following paragraph for tenders estimated equal to or greater than $500,000.

## Contractors using a Certified Cheque, bank draft or money order as Bid Security may, at their discretion and within 14 days, substitute an Irrevocable Standby Letter of Credit (ISLC) in lieu of having their bid security held by the Owner as security for the due performance of the work. When using an Irrevocable Standby Letter of Credit as performance assurance, DTI will only accept the blank form supplied in the Standard Specification.

SPEC NOTE: always keep the following paragraph.

## Include cost of Performance Assurance in Tender Price.

SPEC NOTE: Edit the following example regarding “Geotechnical, Investigation reports” to suit project. Delete completely if not applicable.

# GEOTECHNICAL INVESTIGATION REPORTS

## A copy of detailed geotechnical investigation report identified as file: [file name]; Dated: [day/month/year]; As detailed and prepared by [Company Name] is available through SNB Buildings Construction. Requests can be emailed to Constructionquestions@snb.ca

## This report records properties of the soil recommendations for the design of the project. The recommendations given shall not be construed as requirements of this contract unless contained in the contract documents.

## The report, by its nature, cannot reveal all conditions that exist or can occur on the site. Should subsurface conditions, in the opinion of the Engineer - Architect, be found to vary substantially from the report, changes in the design and construction of foundation will be made with resulting credits or expenditures to the contract Price accruing to the Owner.

## Direct questions to the individual noted on the front page under the title “Direct questions on drawings and specifications to: “

SPEC NOTE: Cash flows are used to follow the budgets set for each fiscal year from April 1st to March 31st. Obtain this information from Department of Transportation and Infrastructure - Buildings Division representative. If this article is not applicable, choose “Not Applicable” option and delete the other option.

SPEC NOTE: The example below can be used when applicable; edit to suit. Coordinate with paragraph “LIMITE DU FLUX DE TRÉSORERIE” of Section 00 21 14, paragraph “TIME WORK SCHEDULE” of Section 00 43 00, and paragraph “PROJECT COORDINATION (CASH FLOW LIMITATIONS)" of Section 01 00 01.

# CASH FLOW LIMITATIONS

## [Not Applicable] [Cash flow limitations have been established as follows:] [The cash flow limitations for this phase of the work is [write amount] [($amount in numbers)] from start of construction to end of fiscal year March 31, [20\_\_]. The balance of the cash flow will be in the next fiscal year. The general Contractor is not to exceed this amount without the written approval of the Engineer - Architect.

## General Contractor is responsible to limit work, labour and products to meet these cash flow limitations. The time work schedule shall be coordinated to follow the cash flow limitations. Work completed for each fiscal year shall not exceed the cash flow limitations as in accordance with the contract price for that time period. Payment for work cannot be carried over into the next fiscal year.

## Contractors should note that they may be audited by the Provincial Auditors at any time.

## The Contractor shall demonstrate in its Time-work Schedule that the cash flow noted for this fiscal year will be expended in full by the specified date.

SPEC NOTE: If Bid Depository is required, add the location of the Bid Depository. The closing date set by DTI is typically two days prior to the tender closing and does not occur on Mondays, Fridays or holidays. Delete “Bid Depository” for all tenders "by invitation" and when not applicable to public tenders. Coordinate with the Department of Transportation and Infrastructure - Buildings Division Project Manager.

SPEC NOTE: On projects where the estimated value is equal to or greater than $500,000, the following sub-trades will be called through the Bid Depository:

-Structural Steel when valued at $100,000.00 or more. Do not include requirements for quality programs such as ISO 9000, ASIC or CSIC in description of work. The only requirement for quality assurance program approved by the Department of Transportation and Infrastructure - Buildings Division is as described in article STRUCTURAL STEEL THIRD PARTY QUALITY ASSURANCE CERTIFICATION of Section 00 43 00 - SUPPLEMENTARY INFORMATION. Coordinate also with article BID DEPOSITORY PRICES of Section 00 41 14 - TENDER FORM "F".

-Masonry when valued at $100,000.00 or more.

-Roofing when valued at $100,000.00 or more.

-Plumbing when valued at $100,000.00 or more.

-Ventilation and Air Conditioning (VAC) when valued at $100,000.00 or more (VAC includes controls). On major capital projects, "the Department of Transportation and Infrastructure - Buildings Division Project Manager" will advise when the Controls are to be a separate entity in the Bid Depository. Very IMPORTANT: when advised to divide the VAC and Controls, make sure that the design is done accordingly and clearly marked. In the past there have been gaps, omissions or unclear directives as to what extent each trade has to complete their work. This has resulted in additional cost change orders to contracts. Make sure that all requirements are met and that all systems are compatible and can tie into each other even though these applications have been separated.

-Medical Gas when valued at $100,000.00 or more.

-Liquid Heat Transfer (Heating and Cooling) when valued at $100,000.00 or more.

-Sprinklers when valued at $100,000.00 or more.

-Electrical when valued at $100,000.00 or more.

SPEC NOTE: On projects estimated less than $500,000, the use of the Bid Depository will be at the discretion of the Department of Transportation and Infrastructure - Buildings Division Project Manager. The same limits for sub-trade values would apply if the Bid Depository is used for projects less than $500,000. Delete article when not applicable.

# BID DEPOSITORY TENDERS

## Sub-trade tenders will close at the [Fredericton Northwest] [Moncton Northeast] [Saint John], [\_\_\_\_\_\_\_] Construction Association Bid Depository on the day and time indicated on the NBON tender notice.

SPEC NOTE: Edit paragraph below to suit tender. List the specification sections covered by each sub-trade.

## Sub-Trades listed below must submit their tenders through the Bid Depository in accordance with the bid depository rules, on or before the advertised or officially amended tender closing time and date. No tender will be accepted from a contractor who has been suspended from the use of the Bid Depository System under the Bid Depository Rules.

SPEC NOTE: Coordinate Structural Steel bid depository requirements with article “STRUCTURAL STEEL THIRD PARTY QUALITY ASSURANCE CERTIFICATION” of Section 00 43 00 SUPPLEMENTARY INFORMATION and with article “BID DEPOSITORY PRICES” of Section 00 41 14 TENDER FORM "F".

 Structural Steel: [05 12 23, 05 21 00, etc.]

 Masonry:

 Roofing:

 Plumbing:

SPEC NOTE: Controls must be included with Ventilation and Air Conditioning (VAC) for project amounts as indicated in spec note above. Delete separate Controls requirement below unless required by the Department of Transportation and Infrastructure - Buildings Division Project Manager to be as a separate entity.

 Ventilation and Air Conditioning (VAC) [and Controls]:

SPEC NOTE: Only include controls as a separate entity when instructed by the Department of Transportation and Infrastructure - Buildings Division Project Manager. Delete otherwise. When controls require to be a separate entity, edit the "Ventilation and Air Conditioning (VAC) and Controls" text above to suit.

 [Controls]:

 Medical Gas:

 Liquid Heat Transfer:

 Sprinklers:

 Electrical:

## Bid Depository Security

### Sub-contractors bidding through the Bid Depository are required to provide a Bid Bond and a Letter of Consent to Bond. This requirement supercedes Rules 12(a) and (b) of the Bid Depository Rules of Procedure. The sub-contractor shall make this bid bond payable to the “Successful Prime Contractor”.

### The Bid Bond shall cover ten percent (10%) of the tender price submitted by the Trade Contractor.

### Include cost of Bond in Tender Price.

## If no valid price is received through the Bid Depository for any of the listed sub-trades, the Bidder (Prime Contractor) shall:

### Include the scope of work in his Tender price for that sub-trade as required in article named “BID DEPOSITORY PRICES” of Section 00 41 14 - TENDER FORM “F”.

### Identify on the Tender Form in the space provided for that sub-trade, the sub-contractor proposed and the price.

## If own forces are listed, Contractor must provide letter indicating qualification requirements are met in their tender. Failure to do so will result in rejection of tender.

## After bid closing, a change in Sub-Contractors listed in “BID DEPOSITORY PRICES” of Section 00 41 14 - TENDER FORM “F” will require permission in writing from Engineer-Architect.

## General contractor is responsible for all coordination required for entire project. This includes all sub-trades, disciplines, work and materials obtained through the bid depository.

End of section