

ATLANTIC FIRST NATIONS WATER AUTHORITY  
**REQUEST FOR PROPOSALS  
(RFP)**



*“Lennox Island SCADA Upgrades Design-Build Project”*

**ISSUE DATE: September 6, 2023**

**CLOSING DATE: October 4, 2023 @ 2:00 PM Local Time**

**CONTACT PERSON: John Lam, Director of Engineering**

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# REQUEST FOR PROPOSALS

## 1. PURPOSE

The purpose of this Request for Proposals (RFP) is to retain a Design-Builder to provide professional services and construction services for the design, supply, installation and commissioning of SCADA upgrades for the Lennox Island First Nation wastewater facilities.

## 2. BACKGROUND

### **Atlantic First Nations Water Authority (AFNWA)**

Delivered by a regional water authority and owned and operated by First Nations, the Atlantic First Nations Water Authority (AFNWA) is a progressive, innovative, and long-term solution for water and wastewater management for Atlantic First Nations communities.

With the inclusion of traditional knowledge and culture, environmental stewardship, the spiritual aspects of water and Two-Eyed Seeing, the AFNWA provides safe, clean drinking water and wastewater for participating First Nations communities in Atlantic Canada.

### **Supervisory Control and Data Acquisition (SCADA) System**

In 2021 the AFNWA developed a SCADA Master Plan (SMP) for approximately 16 participating First Nations communities to provide recommendations for the implementation of a new SCADA system common to all participating communities and the AFNWA.

In 2022 the AFNWA developed a set of SCADA standards for hardware, software, networking, and associated infrastructure to guide the design and implementation of a new SCADA system. These standards are to be used by all parties involved in the design, supply, installation, commissioning, maintenance, and troubleshooting of the AFNWA's SCADA systems.

## 3. PROBLEM STATEMENT AND/OR GOALS

With the SCADA standards finalized in late 2022, this project will serve as one (1) of two (2) pilot projects to utilize the SCADA standards and identify any areas for improvement prior to the use of the standards for the remaining of the upgrades to SCADA infrastructure within those communities actively participating as part of the AFNWA.

## 4. SCOPE OF SERVICES

The selected proposer (Design-Builder) will be required to complete the design, supply,

installation and commissioning for the SCADA upgrades at the facilities identified, and as detailed herein.

A high level summary of the recommendations made as part of the SMP, incorporated into the SCADA standards, and to be implemented as part of this project includes:

- Installation of new Allen-Bradley CompactLogix RTUs to replace existing RTUs or provide new where none exist currently
- Implementation of new VTScada HMI systems common to the AFNWA architecture to replace the existing community SCADA system
- Connectivity for all facilities to be equipped with new SCADA and RTU infrastructure

The AFNWA has retained the services of an Owner's Engineer/Owner's Advisor (OE) to be their representative throughout the duration of the project. The OE will be responsible for overseeing all services and deliverables provided under this project. The Design-Builder is responsible for all coordination with the AFNWA and the OE. Acceptance of all deliverables, tasks and services, including compliance with the AFNWA SCADA standards will be at the sole discretion of the AFNWA and the OE.

**Proposers are strongly encouraged to thoroughly review the SCADA standards prior to completing their bids to ensure they fully understand the expectations for deliverables, level of detail, and requirements specific to the AFNWA. The use of other 'standards', or files developed and used on past projects will not be considered acceptable and any attempt to deviate from the AFNWA SCADA standards will result in the Design-Builder being required to revise and resubmit the applicable deliverables and may require rework and retesting at the design-builder's expense.**

The AFNWA SCADA standards including template documentation that must be used in the preparation of deliverables for this project. It must also be noted that the SCADA standards do not provide all details required for the successful completion of this project and that the Design-Builder is responsible for providing additional design and construction services to provide a complete a fully functional solution.

At the time of this RFP, the AFNWA is in the process of completing the design and implementation of their overall SCADA architecture and networks. The successful design-builder will be responsible for coordinating with the AFNWA to ensure alignment of the design and implementation of this project with that of the AFNWA's SCADA Architecture project.

### **Community Background**

The Lennox Island First Nation is located along the north shore of PEI. Approximately 400 people live within 120 households within the community, all of which are serviced by centralized water and wastewater systems.

The wastewater collection system consists of eight lift stations. Treatment is provided at the wastewater treatment facility which includes secondary treatment in a lagoon followed by ultraviolet disinfection. There are no standard RTU panels or SCADA systems of any kind for any of the wastewater facilities currently although some stations have controllers installed.

## **Project Outcomes**

The expectation of this project is that all eight (8) wastewater facilities are equipped with new RTU panels, instrumentation, field wiring and conduit to existing equipment and instrumentation, new communication networks between all facilities and also connectivity to the AFNWA SCADA network, and new SCADA/HMI systems as part of the overall AFNWA SCADA system including RTU and HMI software development, commissioning and testing for all infrastructure supplied and installed.

## **Project Management and Quality Management**

The Design-Builder will be required to provide professional project management and quality management services throughout the duration of the contract. The Design-Builder's Project Manager is responsible for all coordination with the AFNWA and their OE. Additional services, tasks and deliverables to be provided are detailed below.

- Project Management – coordination of all works including of all subcontractors and coordination with the AFNWA and their OE.
- Schedule – baseline schedule (MS Project format) to be provided no later than 7 working days following award of contract. Once approved, the Design-Builder is responsible for updating the schedule monthly.
- Monthly invoicing and reporting including details for activities completed in the current period, those planned in the following period, QA/QC reviews completed for deliverables submitted, any anticipated schedule slippages and any anticipated cost impacts.
- Quality Assurance and Quality Control (QA/QC) – all deliverables prepared as part of this project are to be accompanied by a QA/QC form signed by one or more individuals who are responsible for reviewing the deliverables for quality and compliance with the SCADA standards.
- Meetings – allow for monthly meetings throughout the duration of the project. Additional meetings will be required for project kick off, schedule and risk review workshops, milestone submissions, pre-commissioning and commissioning. This listing shall not limit the design-builder from attending and leading all meetings deemed necessary for the successful execution of the project at the discretion of the AFNWA and their OE.
- Allow for a 2-week review period for all deliverables by the AFNWA and their OE.

## **Design**

The Design-Builder is required to complete a design for the SCADA upgrades including but not limited to the following services, tasks and deliverables.

- Review of background information as necessary
- Performing site visits to capture all relevant and required details to complete the project
- Site layout drawings showing new RTU panel installation locations, mounting details, dimensions, installation heights, ductbank details and other installation notes including all methods and materials
- Electrical drawings showing source of power for new equipment and panels
- RTU panel drawings
  - Layouts
  - Bill of materials
  - Power wiring
  - I/O card wiring
- I/O lists
- P&ID diagrams
- Instrumentation installation drawings
- Network drawings
  - Architecture
  - Panel layouts
  - Power wiring
  - Network cabling, terminations and labeling
  - Radio installation and terminal details (or other communications media as selected)
- Technical specifications for all works including but not limited to electrical, instrumentation and control, automation and network infrastructure to supplement details provided on the drawings
- Permits and approvals as required

As part of the development of the RTU drawings and I/O lists, the Design-Builder shall review, during the site investigations, the source of all existing and new I/O points from existing equipment, motor starters, instrumentation and other devices. The Design-Builder shall not assume that only existing I/O points will be connected to the new RTU and SCADA systems. Additional equipment and instrumentation where available, and where supplied under this contract, will be connected to the new systems in accordance with the SCADA standards and as identified by the Design-Builder, the AFNWA, or their Owner's Engineer.

Deliverables submitted during the design phase are to identify which standard signals are available from existing equipment and which are to be reserved for future use. Where additional relays are required in order to provide I/O signals to the new RTU while maintaining existing hardwired functionality, the Design-Builder shall include this in the design and construction portions of the work.

It is expected that the RTU drawings prepared during the design phase will be of sufficient detail that they may be used for panel fabrication and construction, and that shop drawing submittals reproducing the RTU panel drawings will not be required separate from the design drawings. The drawings prepared in the design phase will be updated following construction and commissioning to reflect the as-built conditions.

In addition to the RTU and SCADA upgrades, at a minimum the following new equipment and instrumentation is to be designed, supplied, installed, commissioned and calibrated. Where identified as 'future', provisions for the instrument shall be made in all design deliverables including I/O lists, drawings, and other documentation, as well as in all software developed such that once supplied and installed, further software modifications and documentation edits are not required.

- Lift Stations
  - 2 VFDs per station (with the exception of LS8 – Blueberry Trail) complete with Ethernet communications for diagnostics and monitoring (but not control). VFD's shall be manufactured by Allen-Bradley or ABB unless otherwise approved in writing by the AFNWA. All required power (VFD rated) and control cabling also forms part of the scope. **NOTE: the VFD scope for LS7 – Oapus Trail is to be priced separately as a provisional item. No work on this provisional scope is to be undertaken without written authorization from the AFNWA or the OE.**
  - 2 Flowmeters (outlet/overflow) (**future**).
  - 1 Ultrasonic Level (float to remain as failover/ backup and alarming). Manufacturer to be Siemens, Endress & Hauser, or Vega unless otherwise approved in writing by the AFNWA.
  - There is an additional existing flowmeter located next to LS1 that must be integrated with the new control panel.

The final design is to be sealed by the Design-Builder Consultant, a professional engineering firm registered with Engineers PEI. Final as-built documents are to be sealed by the Design-Builder Consultant.

## **Construction**

The Design-Builder is responsible for the complete supply (except as noted elsewhere), installation, configuration/programing, commissioning and training of all components required to provide a complete and fully functional system compliant with the AFNWA SCADA standards. A list of those services, tasks and deliverables to be provided is listed below but shall not be considered comprehensive. The Design-Builder is responsible for the complete construction works based on the designs completed. Additional costs for construction services or materials based on a completed design will not be entertained.

- Preparation of shop drawing submissions as required for all materials and components except where noted elsewhere as not being required
- Supply of all RTU hardware, computer and network hardware, conduit, wiring, and all other materials required to provide a complete and fully functional solution based on the design prepared by the Design-Builder following the AFNWA SCADA standards and having been tailored to each individual facility except where noted otherwise elsewhere
- The use of existing conduit or wiring shall not be permitted
- Installation shall comply with all applicable codes and regulations
- Permits and approvals as required
- Site health and safety requirements

- Materials storage – the Lennox Island facilities and locations shall not be used to store any materials during construction
- Removal and disposal of existing infrastructure where the AFNWA does not wish to retain it. The Design-Builder shall review with the AFNWA all equipment to be removed prior to the actual removal and disposal. Any equipment or materials that the AFNWA does not wish to retain are the Design-Builder's responsibility for safe disposal in accordance with applicable standards and regulations.

All facilities included in this project are existing operational wastewater systems. Maintaining continuous reliable facility operation is of the utmost importance. Operational needs shall take priority over construction tasks at all times. The Design-Builder shall coordinate with the AFNWA and the OE for all equipment and system shutdowns required to complete the work. Request For Shutdown (RFSD) documents shall be submitted to the OE a minimum of 7 working days prior to the requested shutdown. RFSD documents shall include the following detail as a minimum:

- Nature/description of the planned work to be completed and the systems affected
- Contingency plans should any unforeseen circumstances arise during the planned works
- Date of requested shutdown
- Alternate date of requested shutdown
- Start time for shutdown
- Duration of shutdown
- Operational assistance required, if any
- Contractor's contact information

### **Testing & Commissioning**

The Design-Builder is responsible for the complete startup, commissioning and acceptance testing of the work. Refer to the System Integration scope of work for additional details. The Design-Builder is responsible for completing all preliminary I/O checks and other verification prior to requesting the AFNWA and the OE to witness the full system acceptance testing. Documentation shall be provided demonstrating the Design-Builder's own preliminary checks and verification have been successfully completed at the time of requesting the witnessed acceptance testing. Photos of the on-site works may be requested from time to time, and the Design-Builder is expected to provide photos as requested.

Acceptance testing of the system, the entire facility, or any portion thereof shall be considered complete when, in the sole opinion of the AFNWA and the OE, the system, facility or designated portion has operated in the manner intended for seven (7) continuous days without significant interruption. Significant interruption shall include any of the following events:

- Failure of the system, facility, or any portion thereof to meet the specified performance criteria for more than two consecutive hours.
- Failure of any critical equipment or unit process that is not satisfactorily corrected within five hours from the initial time of failure.

- Failure of any non-critical equipment or unit process that is not satisfactorily corrected within eight hours from the initial time of failure.
- Any event deemed by the AFNWA or the OE, at its sole discretion, to be a significant failure.
- Failure of the Design-Builder to provide and maintain qualified on-site start-up personnel as scheduled.

During the testing and commissioning as well as the 7 day performance run in period, the Design-Builder is responsible for reacting to any equipment or system failures promptly.

### **System Integration**

The Design-Builder is responsible for all RTU and HMI software development, factory and site acceptance testing, operational training, and associated documentation based on the AFNWA SCADA standards for all facilities included in the scope of work. Additional details of the services, tasks and deliverables are provided below.

- RTU software development using the AFNWA Base 5069 program file
- HMI software development using the AFNWA OEM VTScada Library files
- Process Control Narrative development including workshops as noted elsewhere
- Software FAT testing
- Software SAT testing
- SCADA training for all RTU and HMI logic and interface functionality
- RTU and SCADA Operational Manual

The Design-Builder is required to provide their own software licenses and their own hardware for development and testing. The AFNWA will not provide copies of licensing or spare hardware to the Design-Builder for the purposes of software development or testing. Depending on availability and timing, spare RTU hardware may be made available to the Design-Builder for testing purposes. This will be at the sole discretion of the AFNWA. The Design-Builder shall not rely on the AFNWA to provide hardware for testing.

### **Warranty**

The warranty period for this contract shall be 1-year from the date of substantial performance of the work. During the warranty period, the Design-Builder shall be responsible for responding to, and addressing to the satisfaction of the AFNWA and the OE, all deficiencies noted.

### **Codes & Standards**

The Design-Builder shall comply with all applicable codes, standards and regulations including but not limited to the following:

- AFNWA SCADA Standards
- Canadian Electrical Code



- Prince Edward Island Electrical Inspection Act, Electrical Inspection and Code Regulations
- National Building Code
- Canadian Standards Association

## **5. PRE-PURCHASED RTU HARDWARE**

In recognition of ongoing global supply-chain issues resulting in long-delivery RTU hardware components, the AFNWA has pre-purchased the Allen-Bradley CompactLogix hardware expected to be required for the wastewater facilities for this project. At the time of issue of this RFP, the hardware is expected to be available by October 2023. With reference to the bill of materials for RTU panels contained within the AFNWA SCADA standards, the Design-Builder shall base their bid on the following hardware being free-issued by the AFNWA for fabrication, installation and testing by the Design-Builder.

Allen-Bradley 5069-L320ER

Allen-Bradley 5069-IB16

Allen-Bradley 5069-OW16

Allen-Bradley 5069-IF8

Allen-Bradley 5069-OF8

Allen-Bradley 5069-RTB18

Allen-Bradley 5069-RTB64

Upon receipt of the above-mentioned hardware, with quantities and serial numbers to be documented upon handover, the Design-Builder shall take full responsibility for the components. The Design-Builder shall be responsible for all shipping costs of the hardware from the AFNWA to the Design-Builders location.

All other components and materials required for the successful completion of this project are the responsibility of the Design-Builder for supply.

## **6. OTHER REQUIREMENTS**

The proposal shall include qualifications of the Design-Builder consultant/contractor/team to successfully perform the project as evidenced by its experience in comparable projects performed.

The proposal shall include qualifications and specialized experience of the key personnel to perform the services for the role proposed as evidenced by relevant experience. Proposers should assume that references will be contacted. Indigenous representation on your team will be considered an asset.

The proposal shall include quality of the proposed plan of action and its ability to meet the project goals.

Within the proposal submission, include the following details as a minimum:

- Identification of the Design-Builder firm acting as the lead for the project
- Identification of the Consultant. The Consultant must be registered with Engineers PEI
- Identification of all subcontractors and subconsultants
- Project Manager – must have a minimum 10 years’ experience
- Electrical/Instrumentation and Controls Engineer – must be registered with Engineers PEI and have a minimum 5 years’ experience
- SCADA System Integrator – must have a minimum 5 years’ demonstrated experience integrating with Rockwell Automation Studio 5000 and VTScada
- Provide a minimum of 3 project references with details including:
  - Project Name
  - Project Location
  - Owner Contact
  - Engineering Cost
  - Capital Cost
  - Start and Finish Dates
  - Description of the work performed by the applicable firm

If reference projects were design-build projects for which the proposer team (design-builder and consultant) worked together, provide details for both the design-builder and the consultant/engineer for the description of the work. If reference projects are not design-build projects, provide a minimum of 3 project references for each of the design-builder and the consultant.

- Provide curriculum vitae for all lead roles including the project manager, electrical/instrumentation and controls engineer, and SCADA system integrator as a minimum.

## **7. CRITERIA SELECTION COMMITTEE**

The AFNWA will have a select group of experienced individuals sit on the selection committee. The Owner’s Engineer may also sit on the selection committee.

## **8. OWNERSHIP OF PROGRAM MATERIALS**

The AFNWA will have complete and full ownership and use of all reports and materials (“works”) produced by the contract under this project and shall have copyright therein. In consideration of entering into the agreement, the Design-Builder must agree, in writing, to waive all moral rights (as defined by the Canadian Copyright Act) in any works in which copyright subsists.

## **9. REQUEST FOR PROPOSAL PROCESS**

### **9.1 Non-Mandatory Site Visit**

All bidders are strongly encouraged to attend a non-mandatory site visit to all locations of the work to be held on **Wednesday September 13, 2023 @ 9:00AM** sharp starting at Lift Station 7 located on Oapus Trail, location shown below for reference.



Failure to attend the non-mandatory site visit will not relieve the bidder of their obligation to provide all design-build services required by this contract. Bidders are strongly encouraged to visit all locations to inspect the conditions of the work, take measurements and photos, and to fully understand all requirements to fulfil the intent of the project.

## 9.2 Closing Date

Each proposal must be received no later than **October 4, 2023 @ 2:00 PM** local time.

The anticipated start date of the services is October 30, 2023.

Proposals are to be sent by e-mail to [Procurement@afnwa.ca](mailto:Procurement@afnwa.ca) , with copy to [john.lam@afnwa.ca](mailto:john.lam@afnwa.ca) .

Receipt of proposal submissions will be acknowledged via e-mail upon receipt, provided a valid e-mail accompanies the proposals.

## 9.3 Late Proposals

Late proposals will not be accepted.

## **9.4 Evaluation and Selection**

The AFNWA will review proposals received and determine responsiveness in accordance with the evaluation criteria specified for this RFP. The preliminary result may cause the AFNWA to shortlist those proposers that best meet the criteria. Shortlisted proposers may be invited to submit clarifications and/or make a presentation following specific requirements. In considering references, the AFNWA may seek information and references from projects and organizations that are not expressly listed on the proposal as a reference.

AFNWA may request best and final offers from all or the shortlisted proposers. The evaluation committee will recommend the proposer that meets the goals of the RFP and the requirements to successfully perform the services. Best value is determined by balancing the price and the quality of the proposal based on the best interests of AFNWA.

### **Evaluation Criteria**

Responsive proposals will be evaluated in accordance with the following criteria totaling 100%.

#### **9.4.1. Work Outline and Methodology**

VALUE: 25

A response to this RFP must outline the methods for accomplishing the proposed work. Describe what, where, when, how and in what sequence work will be carried out during the contract term. Consider how each task may be carried out; what services or interaction is required from the advisory committee, identify any distinct and substantive qualifications for undertaking the proposed contract such as availability of specialized equipment or unique approaches or concepts relevant to the requirement expectations.

#### **9.4.2. Qualifications and Demonstrated Experience**

VALUE: 20

Responses must describe previous projects that the project team has worked on that are related in size and scope of this project. Describe the dollar amount of the contract and a brief narrative of the successes encountered during the contract period. Address how the experience will help you to perform under this contract

and provide references (contact name and number) for each project. Indicate which of the proposed firms and project staff were involved in each contract. The AFNWA reserves the right to investigate references projects, contract references and research other projects the respondent has worked on.

**9.4.3. Proposed Project Staff**

VALUE: 15

Describe the work to be performed by the individuals you name to perform the essential functions and detail specific qualifications and substantive experience directly related to the proposed contract. A response prepared specifically for this proposal is required. Marketing resumes often include non-relevant information which may detract from evaluations of proposal. Focus on individuals' specific duties and responsibilities and how the project experience is relevant to the proposed contract. Competence of the consultant/team should be demonstrated. This includes:

- Knowledge of the topic and literature in the field;
- Research qualifications;
- Demonstration of an effective historical relationship and involvement with First Nations communities; and
- Knowledge of the region.

**9.4.4. Objectives and Services**

VALUE: 5

The proposer's response to this RFP should demonstrate the comprehension of the objectives and services for the proposed contract. Do not merely duplicate the deliverables set forth within this RFP. Define any assumptions made with regard to a proposer's proposal response to this RFP.

**9.4.5. Quality of Proposal**

VALUE: 5

Proposers do not respond to this criterion. Committee will rate this based on their perception of the clarity, completeness, and presentation of proposal. This criterion is not used to rate colour or graphics or other visual techniques but only for content.

**9.4.6. Cost and Timing**

VALUE: 30

The proposer should include a response discussing:

1. Both current and potential time commitments of proposed project staff to other clients and projects.
2. Projected workload of each associated firm proposed for involvement in this project.
3. Adequate support personnel, and other resources to provide services required.
4. Other resources of technical capabilities available to the proposer which will specifically benefit the project.
5. Budget and its justification.

All bidders are required to be familiar with and abide by the AFNWA's Procurement Policy which can be found at the link below:

<https://www.afnwa.ca/wp-content/uploads/2023/05/AFNWA-Procurement-Policy-Revised-01-May-23.pdf>

The following Bid Value Reductions may be applied:

- If Indigenous-owned (>50% beneficial ownership) and commitment to environmental stewardship: Up to 10% Bid Value Reduction
- If non-indigenous owned, historical evidence of commitment to source from or employ Indigenous businesses or people: Up to 5% Bid Value Reduction
- Has demonstrable commitment towards minimizing environmental impact through environmental policies and procedures that either proactively/pre-emptively reduce carbon emissions or that neutralize unavoidable environmental impact with activities that benefit the future of our planet: Up to 5% Bid Value Reduction

## 10. DEBRIEFING

At the conclusion of the RFP process, the successful proposer will be notified.

## 11. ESTIMATED TIME FRAMES AND PROCESS

The following timetable outlines the anticipated schedule for the RFP and contract process. The timing and the sequence of events resulting from the RFP may vary and shall ultimately be determined by AFNWA and the Criteria Selection Committee.

**Request for Proposals issued: September 6, 2023**

**Request for Proposals closes: October 4, 2023**

**Anticipated date for Proposals evaluation to be completed: October 13, 2023**

**Anticipated date for contract to be developed: October 30, 2023**

## **12. REQUEST FOR PROPOSAL PREPARATION**

### **12.1 Signed Proposals**

Each proposer must ensure that the proposal is signed by a person authorized to sign on behalf of the company/institution in response to this request for a proposal.

The proposer shall not replace or add subcontractors without the express written approval of the authorized contracting official.

### **12.2 Bond / Certified Cheque**

Bidders are required to submit a Bid Bond or a Letter of Credit in the approved forms attached hereto as Schedules “E” and “F” respectively. **The amount of the Bid Bond or Letter of Credit shall be equal to 10% of the total value of the bid submitted.** Bidders are required to use the attached standard forms in order to ensure that all bonding and bid security requirements are met. **Failure to meet the bonding and bid security requirements shall result in rejection of your bid.**

### **12.3 Notification and Correspondence**

All notices and correspondence will be sent to the principal consultant unless a request is made for the AFNWA to correspond with someone other than the principal consultant.

**Questions:** Questions may be addressed by e-mail to John Lam, Director of Engineering – [john.lam@afnwa.ca](mailto:john.lam@afnwa.ca)

However, in the interest of fairness, all questions will be answered in writing and sent to all responsive proposals.

### **12.4 Changes to Proposal Wording**

The proposer will not change the wording of its proposal after closing and no words or comments will be added to the proposal unless requested by the AFNWA for purposes of clarification.

### **12.5 Working Language of the AFNWA**

The working language for the purposes of this RFP is English and all responses to the RFP must be in English.

## **12.6 Proposers' Expenses**

Proposers are solely responsible for their own expenses in preparing a proposal and for subsequent negotiations with AFNWA, if any. If AFNWA elects to reject all proposals, AFNWA will not be liable to any proposer or its team for any claims, whether for costs or damages incurred by the proposer in preparing the proposal, loss of anticipated profit in connection with any final contract, or any other matter whatsoever.

## **12.7 Proposal Validity**

Proposals will be open for acceptance for at least 90 days after the closing date.

## **12.8 Firm Pricing**

Prices will be firm for the entire contract period unless this RFP specifically states otherwise.

### **Currency and Taxes**

Prices quoted must be:

- In Canadian dollars.
- The AFNWA is HST exempt, and the successful proposer will be provided a copy of its HST exemption letter.

## **13. Definition of Contract**

Notice in writing to the successful proposer and the subsequent full execution of a written contract will constitute a contract for the goods or services and no consultant or its team shall acquire any legal or equitable rights or privileges relative to the goods or services until the occurrence of both such events. The contract will be based on the CCDC14-2013 Design-Build Stipulated Price Contract.

The timeline for substantial completion of this contract shall be 250 working days from the date of execution of the CCDC14-2013 Design-Build Stipulated Price Contract.

## **14. Liability for Errors**

While the AFNWA has used considerable efforts to ensure an accurate representation of information in this RFP, the information contained in this RFP is supplied solely as a guideline for proposers. The information is not guaranteed or warranted to be accurate by AFNWA, nor is it necessarily comprehensive or exhaustive. Nothing in this RFP is intended to relieve proposers from forming their own opinions and conclusions with respect to the matters addressed in this RFP.



## **15. Modification of Terms**

The AFNWA reserves the right to modify the terms of this RFP at any time in its sole direction. This includes the right to cancel this RFP at any time prior to entering a contract with the successful proposer.

## **16. Ownership of Proposals and Freedom of Information**

All documents, including proposals, submitted to the AFNWA, become the property of AFNWA. They will be received and held in confidence by AFNWA.

## **17. Use of Request for Proposals**

This document, or any portion thereof, may not be used for any purpose other than the submission of proposals.

## **18. Confidentiality of Information**

Information pertaining to the AFNWA obtained by the proposer, as a result of participation in this project, is confidential and must not be disclosed without written authorization from the AFNWA.

It is imperative that the proposer fully understand the expectations with respect to compliance with the SCADA standards, and as such, a complete set of the SCADA standards will be made available to each proposer following receipt of a fully executed copy of the confidentiality and non-disclosure agreement provided in Appendix A. Bids received from bidders who do not execute and submit the required confidentiality and non-disclosure agreement will be disqualified.

APPENDIX A  
Bid Form

**SCHEDULE 'E'**

**BID BOND**

BOND NO. \_\_\_\_\_ \$ \_\_\_\_\_

**KNOW THEREFORE ALL MEN BY THESE PRESENTS** that \_\_\_\_\_  
(hereinafter called the "Principal") and \_\_\_\_\_  
a corporation created and existing under the laws of \_\_\_\_\_ and duly  
authorized to transact the business of Suretyship in \_\_\_\_\_,  
(hereinafter called the "Surety") are held and firmly bound unto The Atlantic First Nations Water  
Authority (hereinafter called the "Obligee"), in the amount of \_\_\_\_\_  
(\$ \_\_\_\_\_) lawful money of Canada, for the payment of which sum, well and truly to be made, the  
Principal and the Surety bind themselves and their respective heirs, executors, administrators,  
successors and assigns, jointly and severally, firmly by these presents.

WHEREAS the Principal has submitted a written tender or proposal to the Obligee, dated the \_\_\_\_ day of  
, 20\_\_ for the Lennox Island SCADA Upgrades Design-Build Project in the Lennox Island First Nation in  
Prince Edward Island.

NOW THEREFORE, the condition of the foregoing obligation is such that, if the Principal shall have the  
tender or proposal accepted within the period of irrevocability of the tender, as may be amended by  
addenda issued by the Obligee, the said Principal will, within the time required, enter into a formal  
contract with the Obligee in a form satisfactory to the Obligee, (hereinafter called the "Contract"), and  
give the specified security to secure the performance of the terms and conditions of the contract, then  
this obligation shall be void; otherwise the Principal and the Surety will pay unto the Obligee the  
difference in money between the amount of the bid of the said Principal and the amount for which the  
Obligee legally contracts with another party to perform the work if the latter amount be in excess of the  
former.

The Surety shall not be liable for a greater sum than the specified penalty of this Bond. Any suit under  
this Bond must be instituted before the expiration of six months from the date of this Bond.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto affixed their corporate seals and  
caused their presents to be signed by their duly authorized officers.

**DATED THIS** \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Name – Surety

c/s

Signature and Signing Authority \_\_\_\_\_

Name – Principal

c/s

Signature and Signing Authority \_\_\_\_\_

**SCHEDULE 'E'**

**STANDARD DOCUMENTATION FOR LETTERS OF CREDIT**

LETTER OF CREDIT NO. \_\_\_\_\_

DATE: \_\_\_\_\_

APPLICANT: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**IRREVOCABLE LETTER OF CREDIT**

Beneficiary: Atlantic First Nations Water Authority  
13 Treaty Trail  
Millbrook, NS  
B6L 1W1

We hereby authorize you to draw on \_\_\_\_\_  
*(Bank, Address, Postal Code)*

for account of \_\_\_\_\_  
*(name of Contractor)*

up to an aggregate amount of \_\_\_\_\_ (\$ \_\_\_\_\_)  
available on demand as follows:

Pursuant to the request of our customer, the said \_\_\_\_\_  
*(name of Applicant)*

\_\_\_\_\_, we \_\_\_\_\_  
*(name of Bank)*

hereby establish and give to you an Irrevocable Letter of Credit in your favour in the total amount of \$ \_\_\_\_\_ which may be drawn on by you at any time and from time to time upon written demand for payment made upon us by you which demand we shall honour without enquiring whether you have a right as between yourself and our said customer to make such demand and without recognizing any claim of our said customer.

Provided, however, that you are to deliver to us at such time as a written demand for payment is made upon us a certificate signed by you agreeing and/or confirming that monies drawn pursuant to this Letter of Credit are to be retained and used to meet obligations in connection with:

Lennox Island SCADA Upgrades Design-Build Project

The amount of this Letter of Credit shall be reduced from time to time as advised by notice in writing given to us from time to time by you.

This Letter of Credit will expire on \_\_\_\_\_, but shall be deemed to be automatically extended without any formal amendment or notice to that effect, from year to year for successive periods of one year each from the present or any future expiration date hereof, unless not less than thirty (30) days prior to the present or any future expiration we shall notify you in writing that the bank elects not to renew this Letter of Credit for any such additional period. This notification shall be delivered by Registered Mail to the attention of:

John Lam, Director of Engineering  
Atlantic First Nations Water Authority  
13 Treaty Trail  
Millbrook, NS  
B6L 1W1

Upon receipt by you of such notice, you may draw by means of your demand accompanied by your above written certificate.

Partial drawings are permitted.

The drawings under this credit are to state that they are drawn under the

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(Name of Bank, Address)

LETTER OF CREDIT NO. \_\_\_\_\_  
(Number)

This Letter of Credit is subject to the rules set out in *International Standby Practices (ISP98)*, International Chamber of Commerce Publication No. 590 and engages us in accordance with the terms thereof. This Letter of Credit shall also be governed by and construed in accordance with the laws of the Province of Prince Edward Island and the applicable laws of Canada except to the extent that such laws are inconsistent with the *International Standby Practices (ISP98)*.

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Authorized Signature

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Authorized Signature (For Bank)

APPENDIX B  
Non-Disclosure Agreement