



RETURN BIDS TO:

RETOURNER LES SOUMISSIONS À:

Bid Receiving Public Works and Government
Services Canada/Réception des soumissions Travaux
publics et Services gouvernementaux Canada
800 Burrard Street, Room 219
800, rue Burrard, pièce 219
Vancouver
British Columbia
V6Z 0B9
Bid Fax: (604) 775-9381

**SOLICITATION AMENDMENT
MODIFICATION DE L'INVITATION**

The referenced document is hereby revised; unless otherwise
indicated, all other terms and conditions of the Solicitation
remain the same.

Ce document est par la présente révisé; sauf indication contraire,
les modalités de l'invitation demeurent les mêmes.

Comments - Commentaires

**Vendor/Firm Name and Address
Raison sociale et adresse du
fournisseur/de l'entrepreneur**

Issuing Office - Bureau de distribution
Public Works and Government Services Canada - Pacific
Region
800 Burrard Street, Room 219
800, rue Burrard, pièce 219
Vancouver
British C
V6Z 0B9

| | |
|--|--|
| Title - Sujet Cut Slope, Hwy Embank. Stabilize Stabilisation du talus remanié et du remblai routier au ruisseau Bougie | |
| Solicitation No. - N° de l'invitation EZ899-211352/A | Amendment No. - N° modif. 004 |
| Client Reference No. - N° de référence du client | Date 2020-12-03 |
| GETS Reference No. - N° de référence de SEAG PW-\$PWY-031-8867 | |
| File No. - N° de dossier PWY-0-43131 (031) | CCC No./N° CCC - FMS No./N° VME |
| Solicitation Closes - L'invitation prend fin at - à 02:00 PM Pacific Standard Time PST on - le 2020-12-15 Heure Normale du Pacifique HNP | |
| F.O.B. - F.A.B. Plant-Usine: <input type="checkbox"/> Destination: <input checked="" type="checkbox"/> Other-Autre: <input type="checkbox"/> | |
| Address Enquiries to: - Adresser toutes questions à: Leung, Janie | Buyer Id - Id de l'acheteur pwy031 |
| Telephone No. - N° de téléphone (778) 919-3273 () | FAX No. - N° de FAX () - |
| Destination - of Goods, Services, and Construction: Destination - des biens, services et construction: PWGSC – Bougie Creek, km 355.5 to km 359.5 – Alaska Highway, BC | |

Instructions: See Herein

Instructions: Voir aux présentes

| | |
|--|--|
| Delivery Required - Livraison exigée | Delivery Offered - Livraison proposée |
| Vendor/Firm Name and Address Raison sociale et adresse du fournisseur/de l'entrepreneur | |
| Telephone No. - N° de téléphone Facsimile No. - N° de télécopieur | |
| Name and title of person authorized to sign on behalf of Vendor/Firm (type or print) Nom et titre de la personne autorisée à signer au nom du fournisseur/ de l'entrepreneur (taper ou écrire en caractères d'imprimerie) | |
| Signature | Date |

This Amendment 004 is raised to:

1) Extend Solicitation Closing Date

Extension of Time for Tenderers
Bougie Creek Cut Slope and Highway Embankment Stabilization
Km 355.5 to 359.5, Alaska Highway, BC

Solicitation No: EZ899-211352/A

Notice is hereby given that the time for reception of tenders previously due at **2:00 p.m. P.S.T. on 8 December 2020** is hereby extended to **2:00 p.m. P.S.T. on 15 December 2020.**

2) Revise Appendix 4 – Indigenous Benefits Plan of the Solicitation

DELETE: Appendix 4 in its entirety

ADD: Appendix 4 (attached below)

3) Issue Addendum #3

-See Attached

All other terms and conditions remain unchanged.

APPENDIX 4 – INDIGENOUS BENEFITS PLAN

MANDATORY REQUIREMENT - INDIGENOUS BENEFITS PLAN:

1) Preamble

The Government of Canada is committed to reconciliation and meaningful engagement with Indigenous Peoples. This project will take place on the traditional territories of the Treaty 8 Council, specifically the Prophet River First Nation. As part of Canada's commitment to reconciliation with First Nations, this procurement requires bidders to include an Indigenous Benefits Plan (IBP) that provides economic benefits to the local first nations on whose traditional territories the project is located through opportunities to provide goods, services, employment, sub-contracting or other measures. The bidder must provide specific planned benefits for the Indigenous People and Indigenous Firms of the above mentioned Nations throughout the duration of the project. PSPC has worked successfully in the past to leverage capacity building for Indigenous peoples and is pleased to continue working collaboratively with Indigenous communities and stakeholders on all federal projects.

The Bidder's bid must include a plan for meaningful opportunities (such as the provision of goods, services, employment, sub-contracting or other measures) for local Indigenous Peoples throughout the duration of the project. Meaningful means the information provided is specific (names of firms and types of goods, services, employment, sub-contacting or other measures that could be provided) and reasonable (there is evidence provided of an effort by the bidder to engage with the local First Nations to determine the capacity within the First Nations to provide those opportunities, for example correspondence or support letter from the First Nation's companies or a record of phone or e-mail conversations).

If the bidder made a valid effort to contact members of the First Nation listed in the preamble (as below) and is unsuccessful in securing sub-contractors or other elements on the IBP as outlined below, it must still submit an IBP with the signed Certification form and provide some detail of its indigenous engagement efforts in addition to its contact efforts in order to meet the outlined objectives. The bidder must attempt to engage the First Nation listed in the IBP preamble (as below) a minimum of seven (7) calendar days prior to the tender closing date.

Submission Requirements Checklist

The Bidder must submit the following at bid closing:

- Completed Indigenous Benefits Plan (IBP) form
- Indigenous Benefits Plan (IBP) Certification – Signed by authorized representative of the Prophet River First Nation and signed by the Bidder

Or:

If the bidder made a valid effort to contact members of the Prophet River First Nation and is unsuccessful in securing sub-contractors or other elements on the IBP as outlined, the bidder must submit the following:

- Completed Indigenous Benefits Plan (IBP) form
- Indigenous Benefits Plan (IBP) Certification – signed by the Bidder
- Proof of its indigenous engagement efforts in addition to its contact efforts in order to meet the outlined objectives that shows engagement took place a minimum of seven (7) calendar days prior to the tender closing date.

The proof must be in the form of an email to all of the email addresses of the Prophet River First Nation listed in the preamble. While there are many forms of engagement, proof of engagement through email correspondence must be provided with the bid. If a response from the Prophet River First Nation is not received by the bidder within five (5) calendar days of the tender closing date, the bidder will have met the criteria of a valid attempt. Canada reserves the right to verify this attempt by contacting the Prophet River First Nation. If Canada does not receive a response from the Nation disputing the attempt within five (5) calendar days of reaching out, the bidder's attempt will be considered valid.

Contact Information:

Prophet River First Nation

Penny St. Pierre, Prophet River First Nation Economic Development

(250) 793-2396
stpierrepenney@gmail.com

2) Indigenous Benefits Plan (IBP) Form

Inclusion of an Indigenous Benefits Plan is mandatory. The IBP value must be a minimum of 10.00% of the total bid amount in order to be compliant. Bids not achieving the minimum of 10.00% will be found non-compliant and will not be considered for contract award.

The total bid price (including the optional work) will be used to calculate and verify that the minimum IBP value of 10.00% has been achieved. For example, if a bid is \$1,000,000.00 then the minimum value for the IBP would be \$100,000.00 (\$1,000,000.00 x 10.00%). Please note that only the actual value will be used to determine if a bid is compliant (i.e. no rounding). A bid with an IBP value of 9.9%, for example, will be deemed non-compliant.

Using the provided form, provide a response to each of the requirements. Responses must be written into the space provided on the IBP form (no modifications allowed). When completing the form, the page width and length must not exceed 8.5" X 11".

Bidders must include the following with their submission:

- Goods, services, employment, sub-contracting and/or other measures provided by Indigenous Firms and/or members of the Nations listed in the Preamble. Examples of other measures could include the provision of transportation, training or a Cultural/Environmental Liaison from any of the listed Nation(s) to assist with communications between the contractor and the local community and assist in environmental monitoring, advising on traditional use (if any), etc.
 - If the Prime Contractor is owned by either the Prophet River First Nation, or is part of a joint venture with the Prophet River First Nation, own force will be considered equivalent to sub-contracting.
- Numbers and calculation details on how the bidder achieved an IBP totaling a minimum of 10.00% of their bid price.

The information provided by the Bidder may be verified by Canada. Failure by the Bidder to provide the required information or in the event that the information cannot be verified shall result in the Bidder being disqualified and no further consideration being given to the Bidder

A) Goods, Services, Employment and/or Subcontracting provided by Indigenous Firms:

| Identify specific First Nations (FN) goods, services, employment, sub-contractors or suppliers that will be used by the Bidder. Include the name of the FN. | Identify estimated duration (number of days) of the services, employment or sub-contractor deployment. | Identify the estimated value of the goods/material/equipment, services, employment or sub-contracting carried out by the First Nations firms. |
|---|--|---|
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| TOTAL VALUE | | \$ |

Solicitation No. - N° de l'invitation
EZ899-211352/A

Amd. No. - N° de la modif.
004

Buyer ID - Id de l'acheteur
PWY031

Client Ref. No. - N° de réf. du client

File No. - N° du dossier
PWY-0-43131

CCC No./N° CCC - FMS No./N° VME

Other description/comments:

B) Other Measures (if applicable):

| Description of any other plans or measures that the Contractor will fulfill for the IBP | Value \$ |
|---|----------|
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| | |

Other description/comments:

Total Value of the Indigenous Benefits Plan (IBP): \$ _____
Must be at least 10.00% of the bid price

3) Indigenous Benefits Plan (IBP) Certification

The Bidder must submit the following certification to validate the Indigenous Benefits Plan (IBP) Form provided at the time of bid submission.

| | | | |
|---|-------|-----------|------|
| BIDDER'S INDIGENOUS BENEFITS PLAN CERTIFICATION: | | | |
| | | | |
| NAME (PRINT) | TITLE | SIGNATURE | DATE |
| The bidder authorized signatory certifies its IBP for contracting submitted with its bid is accurate and complete and acknowledges there is no conflict of interest with its subcontractors as indicated in S111 – Limitation of Submissions and G17 Conflict of Interest – Unfair Advantage. | | | |

The Bidder should obtain the following name and signature from the Prophet River First Nation. The respective Indigenous group should validate and certify that the Indigenous Benefits Plan (IBP) Form provided at the time of bid submission is accurate and complete.

| | | | |
|--|-------|-----------|------|
| PROPHET RIVER FIRST NATION INDIGENOUS BENEFITS PLAN CERTIFICATION: | | | |
| | | | |
| NAME (PRINT) | TITLE | SIGNATURE | DATE |
| The Prophet River First Nation authorized signature certifies the Prophet River First Nation has been contacted and engaged in the preparation of Part 2 – Indigenous Benefits Plan (IBP). | | | |

4) Final Indigenous Benefits Plan Submission

For the successful Contractor only.

The successful Contractor must submit the Final Indigenous Benefits Plan (in the same format as Part 2) for Canada's approval within 10 business days of the Contract Award. The Final Indigenous Benefits Plan is to include a clear description of the minimum amount of Indigenous Benefits committed to (Goods, services, employment, sub-contracting and/or other measures) throughout the duration of the Contract. In the event that only the base work is awarded (i.e. no optional work), the final IBP submission must be at least 10.00% of the Contract value. If any of the optional work is exercised after Contract award through a Contract amendment, the IBP value should proportionally reflect the minimum 10.00% of the total bid amount.

5) Contractor Achievement Report and Certification

1. For the successful Contractor only - the successful Contractor must provide a summary of activities undertaken to meet the commitments made as part of the IBP portion of their bid.

Canada reserves the right to audit the content of the report at any time. The Contractor must provide upon request detailed information such as invoices, work logs, payroll receipts, etc.

2. The Contractor must indicate if any objectives were not met, and explain why they were not met.

3. Information provided may be subject to verification.

4. Commitments made by the Contractor will be subject to SC03 Substantial Performance of the Work, SC04 Final Completion and SC05 Performance Evaluation of the solicitation document whereby:

R2850D GC5.5.3 is modified to include the following clause:

- d. 2 percent of the Contract Amount if the Contractor has not met or exceeded the commitments in the Indigenous Benefits Plan, notwithstanding whether the failure to meet the commitments were beyond the control of the Contractor or not.

R2850D GC5.6.2 is modified to:

- 2. Subject to GC5.2, "Amount Payable", and paragraph 3) of GC5.6, Canada shall pay the Contractor the amount referred to in GC5.2, "Amount Payable", less the aggregate of the sum of all payments that were made pursuant to GC5.4, "Progress Payment", and GC5.5, "Substantial Performance of Work" and less 2 percent of the Contract Amount, if the Contractor has not met or exceeded the commitments set out in Appendix 5, notwithstanding whether the failure to meet the commitments were beyond the control of the Contractor or not.

And;

R2810D GC1.22 (2017-08-17) Performance evaluation: Contract management is modified to include the following clause:

- 1, d, i, includes evaluating if the Contractor has not met or exceeded the commitments in the Indigenous Benefits Plan, notwithstanding whether the failure to meet the commitments were beyond the control of the Contractor or not.

5. The IBP Contract Achievement Report and Certification, which includes the following table, must be submitted within ten (10) business days of final completion of on-site Work.

Return Report to:

Public Services and Procurement Canada Project Manager:

To be determined.

Email:

To be determined.

Actual Benefits – Indigenous Benefits Plan

A) Goods, Services, Employment and/or Subcontracting provided by Indigenous Firms:

| Identify specific First Nations (FN) goods, services, employment, sub-contractors or suppliers that was used by the Bidder. Include the name of the FN. | Identify the duration (number of days) of the services, employment or sub-contractor deployment. | Identify the value of the goods/material/equipment, services, employment or sub-contracting carried out by the First Nations firms. |
|---|--|---|
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| TOTAL VALUE | | \$ |

Other description/comments:

B) Other Measures (if applicable):

| Description of any other plans or measures that the Contractor fulfilled for the IBP | Value \$ |
|--|----------|
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PUBLIC WORKS AND GOVERNMENT SERVICES CANADA

Professional and Technical Services, Real Property Services Branch, Pacific Region
Km 355.5 – 359.5 Bougie Creek Cut Slope and Highway Embankment Stabilization

Addendum #003

Project No. R.119901.002

2020-12-02

The following changes in the tender documents are effective immediately. This addendum will form part of the Contract documents.

Questions from Bidders and Responses

Question 1: In accordance with the latest addendum # 02 issues yesterday, the current project quantities have increased approx. 30%, is it possible to produce revised drawings showing the new Tree clearing limits, excavation limit, as well as the ditch and swale.

Response 1: Revised drawings were provided as part of Addendum #001 and posted with the “files” (addendum_001_-_drawings.pdf).

Question 2: In addition given the quantities increased by approx. 30% are we expecting a change in the final completion date to reflect this.

Response 2: The project is to be completed by March 31, 2021.

All other terms and conditions remain unchanged.