

May 15, 2020



**Re: Request for Access to Information under Part II of the Access to Information and Protection Privacy Act (the ATIPP Act, 2015)**

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On May 11, 2020, the City of St. John's received your request for access to the following information:

*The tender submission for the lowest/successful bidder for Tender #2020024 Bay Bulls Road Street Upgrading Phase 3 which closed on March 27, 2020.*

Enclosed is the information you requested. Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in Section 42 of the ATIPP Act. A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner:

Office of the Information and Privacy Commissioner  
2 Canada Drive; P. O. Box 13004, Stn. A, St. John's, NL. A1B 3V8  
Telephone: (709) 729-6309; Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to Section 52 of the Act.

If you have any further questions, please feel free to contact me by telephone at 576-8429 or by e-mail at [kcutler@stjohns.ca](mailto:kcutler@stjohns.ca).

Yours truly,

A handwritten signature in blue ink that reads "Kenessa Cutler".

Kenessa Cutler  
ATIPP Coordinator

**ST. JOHN'S**

# 2020024 - Bay Bulls Road Street Upgrading Phase 3

Opening Date: February-27-20 4:00 PM

Closing Date: March-27-20 1:00 PM

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## Vendor Details

Company Name: Fairview Investments Limited  
360 Topsail Road  
Address: St. John's, NL A1E 2B6  
Contact: Tom Shea  
Email: tshea@fairviewinvestments.com  
Phone: 709-368-0161  
Fax: 709-369-0162  
HST#: 101731438

## Submission Details

Created On: Wednesday March 04, 2020 19:19:59  
Submitted On: Friday March 27, 2020 12:04:33  
Submitted By: Geoffrey Clarke  
Email: gclarke@fairviewinvestments.com  
Transaction #: 7a402fab-aefc-4b9f-82a2-b0267f8ef1e2  
Submitter's IP Address: 142.177.102.153

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## Schedule of Prices

The Bidder hereby Bids and offers to enter into the Contract referred to and to supply and do all or any part of the Work which is set out or called for in this Bid, at the unit prices, and/or lump sums, hereinafter stated. HST is calculated in a separate table. In lawful money of Canada.

### Electronic Bid Submission

The first table is a Summary Table which provides your Sub-Total for each pricing table and also indicates whether or not the table is mandatory or not. Asterisk's within the table denotes a "MANDATORY" line item.

If the line item and/or table is "NON-MANDATORY" and you are not bidding on it, leave the table and/or line item blank. Do not enter a \$0.00 dollar value unless you are prepared to provide the line item at zero dollars to the Owner.

If a table is "NON-MANDATORY" and you are bidding on it, you must bid on all line items with an asterisk.

If there are multiple tables, you must click the "EDIT PRICING" button inside the Summary Table to display the applicable Pricing Table that you wish to bid on.

## Appendix "A" Schedule of Pricing

DIVISION	ITEM	DESCRIPTION	UNITS	QUANTITY	UNIT PRICE *	TOTAL
110	ENGINEER'S SITE OFFICE	Engineer's Site Office	LS	1	\$4,800.0000	\$ 4,800.00
201	T.V. INSPECTION	T.V. Inspection	LM	896	\$4.0000	\$ 3,584.00
211	TRENCH EXCAVATION	Solid Rock (SR)	CM	2713	\$77.0000	\$ 208,901.00
		Other Material (OM)	CM	5038	\$20.0000	\$ 100,760.00
		Imported Bedding (Class B)	CM	1720	\$41.0000	\$ 70,520.00
		100mm Minus Rock	CM	270	\$18.0000	\$ 4,860.00
		Gravel Borrow	CM	270	\$20.0000	\$ 5,400.00
		Non-shrink fill	CM	270	\$314.0000	\$ 84,780.00
221	SANITARY SEWER	200mm PVC (SDR35)	LM	22	\$57.0000	\$ 1,254.00
		Core Existing Manhole, Re-bench, Grout and Connect new Sanitary Sewer	EA	2	\$2,054.0000	\$ 4,108.00
		Removal and Disposal of Existing Sanitary Sewer	LM	10	\$51.0000	\$ 510.00
222	STORM SEWER	1500 mm Storm Sewer	LM	184	\$1,638.0000	\$ 301,392.00
		1200 mm Storm Sewer	LM	374	\$1,398.0000	\$ 522,852.00
		600 mm HDPE	LM	99	\$256.0000	\$ 25,344.00
		450 mm PVC - Catch Basin Leads	LM	24	\$218.0000	\$ 5,232.00
		375 mm HDPE	LM	90	\$96.0000	\$ 8,640.00
		375 mm PVC - Catch Basin Leads	LM	12	\$173.0000	\$ 2,076.00
		300 mm HDPE	LM	90	\$70.0000	\$ 6,300.00
		300 mm PVC - Catch Basin Leads	LM	220	\$102.0000	\$ 22,440.00
		Locate and Connect Existing Storm Sewer to New Storm Main	EA	7	\$2,054.0000	\$ 14,378.00
		Removal and Disposal of Existing Storm Sewer/Culverts	LM	535	\$51.0000	\$ 27,285.00
		Cap existing concrete storm sewer	EA	2	\$641.0000	\$ 1,282.00
223	MANHOLES, CATCH BASINS, DITCH	Standard Manhole (1200mm) 0-3m	EA	1	\$7,899.0000	\$ 7,899.00

	INLETS, HEADWALLS & CHAMBERS	Standard Manhole (1200mm) 3-4m	EA	1	\$8,684.0000	\$ 8,684.00
		Standard Manhole (1200mm) 4-5m	EA	2	\$10,244.0000	\$ 20,488.00
		Oversized Manhole (1500mm) 0-3m	EA	2	\$14,026.0000	\$ 28,052.00 *
		Oversized Manhole (1500mm) 4-5m	EA	1	\$17,672.0000	\$ 17,672.00
		Oversized Manhole (2100mm) 0-3m	EA	2	\$14,026.0000	\$ 28,052.00 *
		Oversized Manhole (2100mm) 4-5m	EA	2	\$17,672.0000	\$ 35,344.00 *
		Oversized Manhole (2100mm) 5-6m	EA	7	\$24,002.0000	\$ 168,014.00
		Oversized Manhole (2100mm) 6-7m	EA	1	\$26,313.0000	\$ 26,313.00
		Oversized Manhole (2.0m x 1.2m) 3-4m	EA	3	\$26,903.0000	\$ 80,709.00
		Oversized Manhole (2.5m x 1.2m) 3-4m	EA	1	\$37,829.0000	\$ 37,829.00
		Manhole Constructed Over Existing Storm Sewer (1200mm) 0-3m	EA	1	\$6,823.0000	\$ 6,823.00
		Safety Landings	EA	8	\$4,231.0000	\$ 33,848.00
		Catch Basin Pup	EA	1	\$3,466.0000	\$ 3,466.00
		Single Catch Basin (SC)	EA	17	\$5,520.0000	\$ 93,840.00
		Double Catch Basin (DC)	EA	7	\$7,061.0000	\$ 49,427.00
		Quadruple Catch Basin (QC)	EA	4	\$23,880.0000	\$ 95,520.00
		Double Catch Basin with Curb Inlet (DI)	EA	2	\$21,184.0000	\$ 42,368.00
		Quadruple Catch Basin with Curb Inlet (QI)	EA	10	\$26,833.0000	\$ 268,330.00
		Removal and disposal of Catch Basins, Manholes & Ditch Inlets	EA	8	\$1,540.0000	\$ 12,320.00
		Headwalls	CM	6.9	\$2,824.0000	\$ 19,485.60
		Locate & Connect Existing Storm Sewer to new manholes	EA	2	\$2,054.0000	\$ 4,108.00
225	SEWER SERVICES	100mm PVC	LM	702	\$28.0000	\$ 19,656.00
		150mm PVC	LM	57.5	\$44.0000	\$ 2,530.00
		Connection to Main (100mm Tee)	EA	48	\$192.0000	\$ 9,216.00
		Connection to Main (100mm Long Radius Bend)	EA	96	\$64.0000	\$ 6,144.00
		Connection to Main (150mm Tee)	EA	5	\$211.0000	\$ 1,055.00
		Connection to Main (150mm Long Radius Bend)	EA	10	\$89.0000	\$ 890.00
		End Caps	EA	53	\$25.0000	\$ 1,325.00
		Reconnect existing sanitary service using vertical riser kit	EA	15	\$590.0000	\$ 8,850.00
230	WATER MAINS	Remove Existing Fire Hydrant & Marker (return hydrants to City Depot)	EA	3	\$1,200.0000	\$ 3,600.00
		New Fire Hydrant & Marker Incl. All Fittings & Pipe Required	EA	3	\$4,800.0000	\$ 14,400.00
321	STREET EXCAVATION	Other Material (OM)	CM	5339	\$17.0000	\$ 90,763.00
		Unsuitable Material (USM)	CM	593	\$17.0000	\$ 10,081.00
		Asphalt	CM	645	\$41.0000	\$ 26,445.00
322	BORROW	100mm Minus Rock	CM	1870	\$18.0000	\$ 33,660.00
		Gravel Borrow	CM	1340	\$20.0000	\$ 26,800.00
323	GRAVEL FOR STREETS	Granular "A"	T	3048	\$18.0000	\$ 54,864.00
		Granular "B"	T	6096	\$17.0000	\$ 103,632.00

330	CONCRETE CURB, GUTTER AND/OR SIDEWALK WORKS	Concrete Sidewalk 100mm thick	SM	2083	\$104.0000	\$ 216,632.00
		Colored Concrete Island 150mm thick	SM	180	\$141.0000	\$ 25,380.00
		Reinforced Concrete Sidewalk 150mm thick	SM	67.5	\$172.0000	\$ 11,610.00
		Reinforced Concrete Curb and Gutter	LM	60	\$187.0000	\$ 11,220.00
		Curb & Gutter	LM	1564	\$85.0000	\$ 132,940.00
		Remove existing sidewalk	SM	13.5	\$24.0000	\$ 324.00
		Remove existing curb and gutter	LM	10	\$24.0000	\$ 240.00
		Tactile Warning Plates	EA	44	\$216.0000	\$ 9,504.00
341	RECONSTRUCT AND ADJUST UTILITIES	Adjust Existing Manholes to Grade (using new frame & cover)	EA	40	\$1,920.0000	\$ 76,800.00
	TO GRADE AND ALIGNMENT	Adjust Valve Box to Grade (replace top and adjust)	EA	17	\$360.0000	\$ 6,120.00
351	HOT MIX ASPHALTIC CONCRETE	Base Course (60mm)	T	1648	\$121.0000	\$ 199,408.00
		Surface Course (40mm)	T	1099	\$121.0000	\$ 132,979.00
353	CHANNEL CUTS	Asphalt Channel Cuts	SM	84.5	\$24.0000	\$ 2,028.00
354	TACK COAT	Tack Coat	SM	12429	\$0.7200	\$ 8,948.88
401	REMOVAL OF EXISTING STRUCTURES	Removal of Existing Headwalls/Block walls	EA	7	\$1,440.0000	\$ 10,080.00
404	CONCRETE STRUCTURES	Retaining Wall - recon block as Specified and Detailed	SM	39.4	\$1,104.0000	\$ 43,497.60
511	TOPSOILING, SODDING AND/OR HYDROSEEDING	150mm Topsoil and Nursery Sod	SM	913	\$20.0000	\$ 18,260.00
530	REINSTATEMENT	Asphalt	SM	469	\$43.0000	\$ 20,167.00
		Gravel	SM	132	\$14.0000	\$ 1,848.00
603	HANDRAIL	Handrail	LM	15	\$1,800.0000	\$ 27,000.00
610	SIGN AND SIGN POST INSTALLATIONS	Remove and Relocate Signs Including New Sign Post	EA	3	\$240.0000	\$ 720.00
		Project Sign	LS	2	\$960.0000	\$ 1,920.00
		New Signs as Specified	EA	14	\$288.0000	\$ 4,032.00
SS1	PAVEMENT MARKING TAPE	Pre-cut arrows	EA	13	\$614.0000	\$ 7,982.00
		Zebra markings	LM	13.5	\$345.0000	\$ 4,657.50
		Pre-markings for longitudinal lines - yellow	EA	141	\$38.0000	\$ 5,358.00
		Pre-markings for longitudinal lines - white	EA	195	\$38.0000	\$ 7,410.00
SS2	TRAFFIC LINE PAINTING	Line Painting as per line marking drawing and specifications (base coat)	EA	1	\$7,680.0000	\$ 7,680.00
		Line Painting as per line marking drawing and specifications (second coat)	EA	1	\$11,520.0000	\$ 11,520.00
Subtotal:						\$ 3,935,466.58

### Appendix "A" Schedule of Prices - Allowances

DIVISION	ITEM	DESCRIPTION	TOTAL
153	CASH ALLOWANCE	Pole Relocation/Shoring/Bracing & Guy Wire Relocation	\$ 18,000.00
Subtotal:			\$ 18,000.00

### Summary Table

Bid Form	Amount
Appendix "A" Schedule of Pricing	\$ 3,935,466.58
Appendix "A" Schedule of Prices - Allowances	\$ 18,000.00
HST (15%)	\$ 593,019.99
Total Contract Amount:	\$ 4,546,486.57

## Specifications

### Proponent Information

Description	Response	
Full Legal Name of Proponent:	Fairview Investments Limited	*
Any Other Relevant Name under which Proponent Carries on Business:	N/A	*
Street Address:	360 Topsail Road Suite 204	*
City	St. John's	*
Province/State:	Newfoundland and Labrador	*
Postal Code:	A1E 2B6	*
Phone Number:	709-368-0161	*
Fax Number:	709-368-0162	*
Company Website (if any):	www.fairviewinvestments.com	
Proponent Contact Name and Title:	Chuck Luther Project Manager  Geoff Clarke CEO	*
Proponent Contact Phone	709-368-0161	*
Proponent Contact Fax:	709-368-0161	*
Proponent Contact Email:	cluther@fairviewinvestments.com  gclarke@fairviewinvestments.com	*

## Tender Form

Description	Yes - No *
<p>1. Having carefully examined the site of the proposed work and all conditions affecting such, as well as the Contract Documents including the Specifications, all drawings listed in the Specifications, all Addenda, and the Instructions to Bidders for this project,</p> <p>The following applies:</p> <p>WE hereby offer to furnish all necessary labour, materials, superintendence, plans, tools and equipment, and everything else required to perform expeditiously and complete in a satisfactory manner the work for the sum provided in the Pricing Tables and/or Proposal, in lawful money of Canada which includes all prime costs, allowances exclusive of harmonized sales tax (HST) at this date, except as otherwise provided in the Bid documents.</p> <p>2. The Work shall be substantially performed within the time set out in the Bid Document.</p> <p>3. WE HAVE PROVIDED, if required, an electronic copy of our bid security as stipulated in the Mandatory Submission Requirements or elsewhere in the Bid Document.</p> <p>In the event of this Bid being accepted within the time stated in Section 4 below, and our failure to enter into a contract in the form hereinafter mentioned, for the amount of the Bid, the said security may at the option of the City be forfeited. The forfeiting of the Security does not limit the right of the City against us for our failure or refusal to enter into a contract.</p> <p>4. IF NOTIFIED IN WRITING BY THE CITY OF THE ACCEPTANCE OF THIS BID WITHIN 90 DAYS OF THE BID CLOSING DATE SUBJECT TO SUCH OTHER PERIOD AS MAY BE SPECIFIED IN THE TENDERING DOCUMENTS, WE WILL:</p> <p>(a) Execute the required Contract and OHS Declaration.</p> <p>(b) If specified, furnish the security for the proper completion of the work, the said security, if in the form of bonds, to be issued on an acceptable form.</p> <p>(c) Complete substantially all the work included in the Contract within the time and under the conditions specified.</p> <p>5. WE understand that Performance Security, Labour and Materials Security and Insurance as required by the Contract Documents, must be provided and in force prior to the commencement of any work and satisfactory proof of such be provided to the City, prior to the execution of the contract.</p> <p>6. WE declare that the rates and prices variously set forth in the Schedule of Pricing (Appendix C) have been correctly computed for the purposes of this Tender and that they include and cover all contingencies and provisional sums and all duties, , and handling charges and all transportation and all other charges.</p> <p>7. WE confirm that the sums herein tendered include all sales taxes, royalties, custom duties, foreign exchange charges, transportation, travelling costs, all overhead and profit, all co-ordination fees, insurance premiums, and all other charges.</p> <p>8. WE understand and agree to list the names of Subcontractors and suppliers whose bids have been used in the preparation of this Bid price. The list will be subject to the approval of the City. "By own forces" will be considered valid and satisfactory only if the Bidder is recognized by the Newfoundland and Labrador Construction Association, the Newfoundland and Labrador Road Builders Association or by the City as being a "bona fide" Contractor or supplier of that particular trade or item.</p> <p>WE agree to authorize the City to release the names of Subcontractors used in our Bid where such information is requested from the City.</p> <p>WE reserve to us the right to substitute other Subcontractors for any trades in the event of any Subcontractor becoming bankrupt after the date hereof. Any such substitution shall be subject to the prior written approval of the City and contingent upon satisfactory evidence of bankruptcy.</p> <p>9. WE understand and agree that the City may order changes to the work in the form of additions or deletions in accordance with the General Terms and Conditions, and the intent of the Contract Documents.</p> <p>10. In providing an Electronic Bid Submission, Bidders shall confirm the receipt of all Addenda by clicking the appropriate check box.</p>	<p><input checked="" type="radio"/> Yes  <input type="radio"/> No</p>

## Subcontractors

Refer to the bid document for the specific requirements for subcontractors.

## Declaration of Subcontractor(s)

Appendix D - ITT Particulars

Other Mandatory Submission Requirements

Bidders are required to list the names of subcontractors, manufacturers, and suppliers if such requirement is specifically required. Failure to do so, where such is required, and at the time of Tender submission shall render the Tender incomplete.

If the work is to be performed by the Bidder, the check the box indicating, "By Own Forces", shall be checked. To be considered valid and satisfactory, the Bidder shall be recognized as a "bona fide" contractor, manufacturer or supplier of that particular trade or item. Names from the Subcontractors list may be released by the Owner.

Bidders shall retain the right to substitute other names for any trades in the event of any of those named become bankrupt or insolvent after the date hereof. Any such substitution shall be subject to the approval of the Owner and contingent upon satisfactory evidence of bankruptcy or insolvency.

Line Item	Type of Work	Subcontractor Firm Name	Manufacturer(s)	Supplier(s)	Telephone Number
1	Traffic Control	Safety First			709-722-5735
2	Traffic Control	Hi-Vis Traffic Control			709-682-3268
3	Curb Install	Infinity Construction			709-237-6700
4	Concrete supply			Newcrete	709-364-5008
5	Asphalt and Concrete Supply			Municipal Construction	709-368-4618
6	Pipe Supply			Wolseley	709-754-4213
7					
8					
9					
10					

## Documents

**Ensure your bid submission document(s) conforms to the following:**

1. Documents should be in PDF format and be compatible with Adobe version 5 or higher. Documents may also be submitted in Microsoft Word or Microsoft Excel format (version 2010 or 2013). Vendors should only submit these file types unless specifically requested to submit other file types that may be required for a specific proposal. If the City requires video or audio files do NOT upload video or audio files here.
2. Documents should **NOT** have a security password, as the City of St. John's staff may not be able to open the file.
3. The maximum file upload size is 500MB. To reduce the document size, Proponents may zip/compress files for upload. Also, if a vendor requires to upload more than one (1) document, the vendor may combine the documents into one zipped/compressed file, as per the instructions below. Zipped files must be named accordingly for the submission and must not be password protected.
4. When uploading a file please ensure each document is named, in relation to the submission format item responding to, for example, if responding to the Previous Experience category save the document as "Previous Experience".
5. It is the vendor's sole responsibility to ensure that their uploaded document(s) are not either defective, corrupted or blank and that



the documents can be opened and viewed by the City of St. John's staff. The City of St. John's may reject any Bid where any document(s) cannot be opened and viewed by City staff.

## **BONDING UPLOAD SECTION**

Refer to the bid document in the section named Tender Surety and Bonding for the bonding requirements.

- ["Bid Bond requirements are outlined in the tender document. You must provide your Bid Bond in accordance with these requirements."](#) - Bay Bulls Upgrading 2020- Bond-Fairview Investments.pdf - Tuesday March 17, 2020 09:27:45

### **To compress (or zip) a file or folder, follow these steps**

1. *Locate the file or folder that want to compress.*
2. *Right-click the file or folder, point to **Send to**, and then click **Compressed (zipped) folder**.*

*A new compressed folder is created in the same location. To rename it, right-click the folder, click **Rename**, and then type the new name.*

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### **To upload a document follow these steps**

1. *Click on the browse button to locate the file on your computer or network*
2. *Click the upload button*
3. *After the file has been successfully uploaded, a link to the document will appear on the screen, along with the time/date that it was uploaded.*
4. *If you need to remove the document, click the remove button next to the document name.*

## Appendix B Submission Form

### 1. Offer

The bidder has carefully examined the ITT documents and has a clear and comprehensive knowledge of the Deliverables required under the ITT. By submitting a bid, the bidder agrees and consents to the terms, conditions and provisions of the ITT, including the Form of Agreement, and offers to provide the Deliverables in accordance therewith at the rates set out in its bid.

### 2. Rates

The bidder has submitted its rates in accordance with the instructions in the ITT and in Pricing (Appendix C) in particular. The bidder confirms that it has factored all of the provisions of Appendix A, and any insurance and indemnity requirements, into its pricing assumptions and calculations.

### 3. Addenda

The bidder is deemed to have read and accepted all addenda issued by the City prior to the Deadline for Issuing Addenda. The onus is on bidders to make any necessary amendments to their bids based on the addenda.

### 4. No Prohibited Conduct

The bidder declares that it has not engaged in any conduct prohibited by this ITT.

### 5. Disclosure of Information

The bidder hereby agrees that any information provided in this bid, even if it is identified as being supplied in confidence, may be disclosed where required by law or by order of a court or tribunal. The bidder hereby consents to the disclosure, on a confidential basis, of this bid by the City to the advisers retained by the City to advise or assist with the ITT process, including with respect to the evaluation this bid.

### 6. Bid Irrevocable

The bidder agrees that its tender shall be irrevocable for a period of 90 days following the Submission Deadline.

### 7. Execution of Agreement

The bidder agrees that in the event its bid is selected by the City, in whole or in part, it will finalize and execute the Agreement in the form set out in Appendix A to this ITT in accordance with the terms of this ITT.



I/WE agree to be bound by the terms and conditions contained in the Bid Document and any applicable Addenda, and the person named below has the authority to submit this bid on behalf of the Bidder.

- Geoff Clarke, CEO, Fairview Investments Limited

The bidder shall declare any potential conflict of interest that could arise from bidding on this bid. Is there any conflict of interest arising from your bid?

Yes  No

### **Electronic Bid Submission**

The Bidder acknowledges and agrees that the addendum/addenda below form part of the Bid Document.

Please check the box in the column "**I have reviewed this addendum**" below to acknowledge each of the addenda.

File Name	I have reviewed the below addendum and attachments (if applicable)	Pages
<b>2020024 - Addendum #5</b> Mon March 23 2020 10:56 AM	<input checked="" type="checkbox"/>	-
<b>2020024 - Addendum #4</b> Wed March 18 2020 08:23 PM	<input checked="" type="checkbox"/>	-
<b>2020024 - Addendum 3</b> Fri March 13 2020 04:23 PM	<input checked="" type="checkbox"/>	-
<b>2020024 - Addendum 2</b> Thu March 12 2020 09:15 AM	<input checked="" type="checkbox"/>	-
<b>2020024 - Addendum 1</b> Mon March 9 2020 04:16 PM	<input checked="" type="checkbox"/>	-