

# The Township of Rideau Lakes



## **Request for Proposals** **Development Charges Background** **Study and By-law**

**DS2018-02**

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## 1.0 Information to Bidders

### General Description

The Corporation of the Township of Rideau Lakes is inviting qualified firms and individuals to provide the services as described in the Terms of Reference.

### Bid Submission

Proposals shall be made in the format specified in Section 3, include the forms in Section 2 and include the information outlined in Section 4 in the format specified. Proposals shall be properly labeled with the proposal number 'DS2018-02' and submitted no later than the Closing Date and Time.

**Proposals are to be submitted by email to: [bmulhern@twprideaulakes.on.ca](mailto:bmulhern@twprideaulakes.on.ca).** No sealed/hard copy submission is required. **Proposals will be received until 10:00a.m. E.S.T., January 18, 2019.** It is the Bidder's responsibility to ensure that the bid submission is received by the Manager of Development Services prior to the submission deadline.

**All proposals received will be held in strict confidence until after the closing date and time.**

### Registration

Individuals or firms interested in submitting a Proposal should register with the municipality to ensure they receive any addenda which may be issued. Individuals of firms may register by contacting The Manager of Development services by email or phone at the contacts below:

Brittany Mulhern  
 Manager, Development Services  
[bmulhern@twprideaulakes.on.ca](mailto:bmulhern@twprideaulakes.on.ca), or  
 1 613 928 2345 x244

### RFP Schedule

Every attempt will be made to meet all dates. The Township of Rideau Lakes reserves the right to modify any or all dates at its sole discretion.

**Last Day for Questions: January 11<sup>th</sup>, 2019**  
**Closing Date and Time: January 18<sup>th</sup>, 2019 at 10:00am**  
**Bid Opening: January 18<sup>th</sup>, 2019 at 2:00pm**  
**Selection of Successful Vendor, February 2019**

### Cost of Submission

The Township of Rideau Lakes will not be liable nor reimburse any bidder for any costs incurred in developing a Proposal submission, attending meetings/interviews, demonstrating the goods and or services, legal services, or any other services that may be required in responding to this "Request for Proposal".

### Right to Accept or Reject Proposal

The Township of Rideau Lakes reserves the right to reject any or all Proposals, as a whole or in parts, and waive formalities as the interests of the Corporation may require, without stating reasons. **Therefore, the lowest or any Proposal may not necessarily be accepted. If there are a limited number**

**of response to this request the Township reserves the right to terminate the request or make further requests for proposals. Additionally, should Provincial legislation around Development Charges change the Township has the right to postpone or cancel the awarding of the proposal.**

### **Validity**

The Proposal submitted shall remain valid for at least one hundred and twenty (120) days from the Proposal Closing Date.

### **Withdrawal of Proposal Prior to Closing**

A vendor who has submitted a response to this Request for Proposal may request that such response be withdrawn. Withdrawals shall be completed and shall be allowed under the following conditions;

- 1 If the request is made in writing on the vendor's letterhead and signed by a senior official of the vendor; or
- 2 If the request is made in person by a senior official from the vendor who is authorized to complete and sign an appropriate form; or
- 3 If the request is made by way of a fax or e-mail bearing the name of the senior official authorizing the withdrawal

In all cases, a request for the withdrawal of a Proposal will be verified by the Township of Rideau Lakes, by way of a telephone call or email to a senior official representing the vendor, to confirm the withdrawal.

There shall be no withdrawals of Proposals allowed after the closing date/time for receiving Proposals.

### **Review of Documents**

Vendor must personally study the entire Request for Proposal document as to satisfy themselves of the conditions and requirements of the Proposal. There will be no consideration of any claim, after submission of Proposals, that there is a misunderstanding with respect to the conditions imposed by the request for Proposal.

### **Multiple Proposals**

Multiple responses from any one vendor would be acceptable, providing the following conditions are met:

- 1 Each response must be completed and shall be as per the format specified herein, and shall be packaged separately;
- 2 Each response shall be dealt with separately and shall be subject to the requirements of the Request for Proposal.

### **Addenda**

The Township of Rideau Lakes may choose to issue addenda to provide clarification or additional information. Addenda will only be sent to vendors that have registered as a Bidder. It is the vendor's responsibility to ensure they have received all addendums and provide the Township of Rideau Lakes with the proper contact information through the registration process. Submissions must include all signed addenda acknowledgements or the submission may be disqualified.

### Price Submission

The Proposal price shall include all labour, material, equipment, supervision, statutory charges and vendor overhead and profit, in Canadian Dollars.

### Award

Upon completion of evaluations, the Township of Rideau Lakes may select a bidder with whom it wishes to undertake negotiations for the plan outlined in the Request for Proposal. Negotiations may take the form of adding, deleting, or modifying certain requirements based on the response to the Request for Proposal, and adjusting pricing accordingly if required. Assuming mutually acceptable terms and conditions can be agreed upon; a purchase order will be issued to the selected bidder.

The Township of Rideau Lakes reserves the right in its absolute discretion to:

- 1 Adjust, discontinue, or cancel the submission process, and/or commence a new process for the same or similar goods or services, if the Township of Rideau Lakes deems reasonable conditions exist.
- 2 Accept or reject any submission(s) in whole or in part
- 3 Provide additional written information to vendors

**Therefore, the lowest cost Proposal may not necessarily be accepted. The acceptance and award of a Proposal may be subject to the approval of The Township of Rideau Lakes Council.**

### Confidentiality Provision

All responses to this Request for Proposal will be treated confidentially in compliance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*. The information contained in this request for Proposal will be utilized by the bidder solely for the purposes of preparing a submission. Any other use of the information for any other purpose is not authorized by the Township of Rideau Lakes.

### Standard Terms and Conditions

The Township of Rideau Lakes, maintains a standard terms and conditions that apply to this Proposal, a copy of which can be found within the Township's Procurement of Goods and Services Policy – Revised April 2013.

### Terms of Payment and Invoices

The Township of Rideau Lakes terms of payment are net thirty (30) calendar days upon receipt of invoice.

Invoices are to be forwarded as goods or services are rendered to the attention of:

Brittany Mulhern  
Manager, Development Services  
The Corporation of the Township of Rideau Lakes  
1439 County Road 8  
Delta, ON K0E 1G0  
or sent electronically to: [bmulhern@twprideaulakes.on.ca](mailto:bmulhern@twprideaulakes.on.ca)

**Invoices submitted for goods not received or services not completed will be held until the date of delivery or completed prior to starting the net thirty days to payment.**

### **Termination**

The Township of Rideau Lakes reserves the right to terminate the contract for sufficient cause, including but not limited to, poor performance, late deliveries, inferior quality, incorrect pricing and health and safety concerns. If the vendor should neglect to perform the work properly or fail to perform any provision of the request for Proposal, the Township of Rideau Lakes may terminate the contract after fifteen (15) business days with written notice to the vendor. Also if Provincial legislation around Development Charges changes the Township may terminate the contract with payment of only work to date completed at the time of termination.

### **Background Check**

The Township of Rideau Lakes, at its discretion will perform background checks on any service personnel, and reserves the right to refuse access to buildings or equipment to any personnel or other representatives of the vendor or manufacturer.

### **Conduct of Vendor Staff**

The successful vendor shall employ orderly, competent and skilled staff to ensure that the request for Proposal is completed in a respectable manner. If any one person employed by the successful vendor in connection with the request for proposals efforts, in the opinion of the Township of Rideau Lakes, just cause for complaint, the vendor upon notification from the Township of Rideau Lakes, shall not permit such person to continue in any future work arising out of the request for Proposal.

### **Accessibility**

The Township of Rideau Lakes is required to comply with the Accessibility for Ontarians with Disabilities Act, 2005 as amended and any associated regulations. Under this Act, every person who deals with members of the public or other third parties on behalf of the Township must receive training about the provision of goods and services to persons with disabilities.

The Vendor hired for the completion of work with regards to this Request for Proposal must be aware of these requirements and certifies that all required personnel have or will receive training prior to commencement of work under the contract.

### **Insurance – Liability, Automotive and Non-Owned Automobile Insurance**

Without in any way limiting the liability of the contractor under this contract, it shall be the responsibility of the contractor to:

- 1 Maintain and keep in force during the term of the contract, General Liability Insurance protecting the contractor's liability, legal or assumed, under the contract for all claims arising from personal injury to members of the public, damage to property of public including loss of use of such property and the minimum insurance shall be \$5,000,000.00.
- 2 Maintain and keep in force during the term of the contract, automobile and non-owned automobile insurance on all vehicles used in connection with the work under this contract. Such insurance is to carry the minimum limit of \$5,000,000.00.
- 3 Maintain and keep in force during the term of the contract, Contractor's contingent liability insurance, covering the liability of the Contractor under this contract in respect to his sub-contractor's same limits as required in Clause (a).
- 4 Deposit with the Township of Rideau Lakes, before commencing any work under this contract, a certificate of insurance detailing the coverage and expiry date for all policies duly executed by the insuring company stating that if said policies are cancelled or changed in any manner, sixty (60) days written notice of such change or cancellation will be given to

the Corporation of the Township of Rideau Lakes, Clerk, Delta Ontario. The Township shall be shown as an additional insured.

### Workplace Safety Insurance Act

The vendor is required to comply with all the regulations of the W.S.I.B. in respects to the contract work and all persons employed on or in connection therewith, and shall furnish a Certificate of Clearance from the Board to the Township of Rideau Lakes, and maintain good standing with the W.S.I.B. throughout the contract period.

### Contractor's Liability

The contractor shall be liable for all injuries and/or death to persons and for damage to property caused by his/her operations and those of sub-contractors; and their employees engaged on and off site and shall indemnify and save harmless the Township of Rideau Lakes from all suits and actions for damages and costs to which damages to property of others as well as the Township, resulting from negligence, poor workmanship and materials, as well as any cause whatsoever in the performance of the work.

### Conflict of Interest

By submitting a bid, the vendor declares that the submission is not made in connection with any other submitting vendor, and is in all respects fair and without collusion or fraud and further that no member of Council, officer or employee of the Township of Rideau Lakes has become interested, directly or indirectly, as a contracting party, partner, stockholder, surety or otherwise on the performance of the said contract.

### Quality of Work

The vendor at all times shall provide the Township of Rideau Lakes Representative with suitable access, and or status of the work covered under the request for Proposal. The Township of Rideau Lakes Representative shall be the sole judge of the work and therefore its acceptability. Work that is unsatisfactory, in the opinion of the Township of Rideau Lakes Representative, shall be made satisfactory at no additional cost to the Township of Rideau Lakes.

### Questions Regarding the Request for Proposal

Vendors having questions or finding discrepancies or omissions, or having doubts as to the meaning or intent thereof, shall at once notify in writing the Township of Rideau Lakes, who shall send written instructions or explanations by Addenda to all vendors as required. Any questions arising from the Request for Proposal should be directed to:

Brittany Mulhern  
Manager, Development Services  
613-928-2345 ext. 244  
[bmulhern@twprideaulakes.on.ca](mailto:bmulhern@twprideaulakes.on.ca)

As some of the questions regarding the Proposal may be technical/administrative in nature, the Manager may internally forward such questions to proper department representatives for the needed responses. **The final day for questions will be as stated in the Request for Proposal.**



### Lobbying

In order to ensure fairness to all Proponents, the Township must endeavour to prevent unfair advantage created by lobbying. Therefore the Township reserves the right to disqualify, at any time and at its sole discretion, any Proponent engaging in lobbying in connection with a competitive bidding process between a date that is no later than the date of issue of the RFP and the date of signing of a contract or Purchase Order between the Township and the Successful Proponent(s). The Township may disqualify a Proponent at any time in the procurement process, including after the selection process has been completed.

Lobbying may include any activity that the Township, in its sole discretion determines has or may give an unfair advantage to one Proponent relative to other Proponents. Without limiting the foregoing lobbying may include:

- a) Verbal or written communication with or to any Township staff / Council member other than those identified as contacts in this RFP in respect of this RFP.
- b) Verbal or written communication with or to any expert or other advisor assisting the Evaluation and Selection of this RFP.
- c) Verbal or written communication with or to any member of the RFP Evaluation and Selection team other than those identified as contacts in this RFP.
- d) Direct or indirect requests by the Proponent to any person, organization or group to provide a written or verbal expression of support not required by this competitive bidding process to any member of the Evaluation and Selection team or Council.
- e) Verbal or written communication with or to media organizations.
- f) Direct or indirect offer of gifts of any kind or value to any Township representative or personnel.

## 2.0 Submission Forms

### Form for Proposal

I/We have reviewed the RFP, including the Terms and Conditions, and Terms of Reference, and hereby offer to provide goods or services for the following amounts of money in exchange for the right to enact the requirements of the Proposal.

For the Provision of: Consultant Services – Development Charges

Consultant Services as detailed in the Terms of Reference and Pricing Forwarded from Price Schedule	HST	Total Cost
\$	\$	\$

In writing: \_\_\_\_\_ Dollars

Registered Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

City: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Signature of Authorized Officer: \_\_\_\_\_

Name of Authorized Officer (please print): \_\_\_\_\_

**Note for Signing Office: By my signature, I hereby confirm I am a principal, or have been duly authorized by the principal or board, to sign on behalf of the above named organization.**

### Price Schedule

Please attach an Excel Worksheet or other appropriate breakdown of price.

**Bidders Declaration**

I/We (enter name) \_\_\_\_\_

Title/Position \_\_\_\_\_

Name of Organization or Business \_\_\_\_\_

- 1) Declare that no person, firm or corporation other than the one who's signature or the signature of whose proper officers is attached below, has any interest in this Proposal or in the Contract proposed to be undertaken.
- 2) Further declare that this Proposal is made without any connection, knowledge, comparison of figures or arrangements with any other company, firm or person making a Proposal for the same work and is in all respects fair and without collusion or fraud.
- 3) Further declare that no Township of Rideau Lakes employee, or Member of Township of Rideau Lakes Council and their families is, or will become interested directly as a contracting party or otherwise or in the performance of the Contract or in the supplies, work or business to which it relates or in any portion of the profits thereof, or of any such supplies to be used therein or any of the monies to be derived therefrom.
- 4) Further declare that the several matters stated in the said Proposal are in all respects true.
- 5) Further declare that I/We have examined the Terms of Reference and hereby propose and offer to enter into a contract to provide all of the items mentioned and described or implied therein, including, in every case, freight, duty exchange, and to accept in full payment therefore, the sums calculated in accordance with the actual quantities provided, and Unit Prices attached to this Proposal.
- 6) Agree that this offer is to continue open for acceptance until a formal contract is executed or a Purchase Order is issued to the successful Bidder.

Signature of Witness Signature of Authorized Officer \_\_\_\_\_

Name of Witness (please print) \_\_\_\_\_

Name of Authorized Officer (please print) \_\_\_\_\_

Dated \_\_\_\_\_

Vendor's Experience Form

<b>Date Completed</b>	
<b>Value of Project</b>	
<b>Customer</b>	
<b>Description and Location</b>	
<b>Contact Person/Title</b>	
<b>Telephone Number</b>	
<b>Date Completed</b>	
<b>Value of Project</b>	
<b>Customer</b>	
<b>Description and Location</b>	
<b>Contact Person/Title</b>	
<b>Telephone Number</b>	
<b>Date Completed</b>	
<b>Value of Project</b>	
<b>Customer</b>	
<b>Description and Location</b>	
<b>Contact Person/Title</b>	
<b>Telephone Number</b>	

### 3.0 Proposal Format

A digital file of each proposal, signed by the Bidder's authorized representative must be received.

The Bidder who puts forth the proposal will have them signed by an official authorized to bind the Bidder's firm and will provide the name(s), title(s), mailing address, email address and telephone number for the individual(s) to be contacted during the evaluation process.

To assure similarity in the Proposal presentation, and to facilitate the comparison of competing Proposals by the evaluation team, bidders shall include the required material using the sections as follows:

Title Page  
Cover Letter  
Signed Addenda – if any issued  
Submission Forms  
Proposal

## 4.0 Terms of Reference

### Project Background and Overview

The Township of Rideau Lakes is a rural municipality of approximately 10,300 permanent residents with a large seasonal population. The Township maintains over 400km of roads and approximately 65 municipal buildings/properties, and all water and wastewater services are private within the Township. The Township instituted its first Development Charge in 2010 and its second in 2014. The Township is seeking proposals to perform a new Background Study and Development Charges by-law in accordance with the Development Charges Act. The work is being completed in anticipation of the expiration of the current Development Charges by-law in October 2019.

Relevant information regarding the current Official Plan, building trends, population growth, etc. is available through the Township. Also available is the United Counties of Leeds and Grenville Official Plan, which was completed in 2015 and includes a population and growth background study. The 2010 and 2014 Township Development Charges' background studies, by-laws and related amendments will be available as resources. The undersigned should be contacted regarding available information or any relevant questions about the Proposal.

### Summary of Work Overview

The scope of the works for the successful firm or individual shall include, but not be limited to:

- Developing a background study satisfactory to the Township and in accordance with the *Development Charges Act* and any other Sections and relevant regulations;
- Developing a draft Development Charges Act By-law satisfactory to the Township and in accordance with the pertinent sections of the *Development Charges Act* and any relevant regulations;
- Developing a public guide to the Development Charges Act By-law satisfactory to the Township identifying, in writing, pertinent trends and issues and possible options, approaches and policies with respect to local services, exemptions, indexing, phasing, and charge rates, among other things;
- Attending staff, Council and public meetings, as required, to complete the project;
- Assisting with addressing and responding to questions arising as a result of the background study and Bylaw;
- Defending any appeals that may arise from the passing of the By-law. Proposal to include a per diem rate in case of appeal; and
- Providing an electronic version of all documents in a form satisfactory to the Township

### Project Timing and Phasing

The Township intends to complete this project in a timely manner and in accordance with the Development Charges Act with an anticipated by-law passage in the late summer of 2019 with a named implementation date of October 2019. The process will be guided by the Planning Advisory Committee of Council along with Development Services Department staff.

Proposals must be submitted to the undersigned electronically via email, clearly identified as to its contents, by no later than **10:00 am, Friday January 18th, 2019**. **Proposals received after this time will not be considered.**

### Proposal Content

Each proposal document should clearly demonstrate that the consultant possesses a clear understanding of the overall scope of the project and the particulars of the assignment. Additionally, each proposal should identify the project manager and key team members (including any members from specialized sub-consultants), describe their respective capabilities and roles, and provide resumes of each where appropriate.

The proposal document should describe the approach and methodology to be followed in completing all aspects of the project as described in the summary of work overview, and provide a detailed work plan and schedule (including a breakdown of tasks) sufficient to detail the level of effort proposed for individual team members, and a complete understanding of how the work is to be completed.

The proposal document should, as a minimum, contain the following information and material:

- a) A detailed description of the intended review and study approach.
- b) The name, size, location and description of the lead consulting firm, and in the event that any work is proposed to be undertaken in consultation with, or in association with, other consulting firms (sub-consultants), the name, size, location and description of such other firms.
- c) A list of similar projects undertaken by the lead consulting firm (and any sub consulting firms, where applicable), together with a list of respective reference contacts (client name, client contact person (project manager), and telephone number).
- d) A list of the staff or members of the design team to be assigned to work on the project, their location, including a detailed outline of past experience and involvement (with dates) in similar projects.
- e) A statement respecting the time and resources that are available to dedicate to this project.
- f) A schedule of key activities, tasks and resources, including milestones, deliverables and completion dates, and provision for the consultant to update the schedule on a regular basis and submit it to the project manager.
- g) Daily and hourly rates for all staff or design team members to be assigned to the project.
- h) Additional daily rates for all staff or design team members that would be responsible for defending an appeal. This rate shall not be included in the fixed fee but shall be submitted at the bottom of the spreadsheet for the fixed fee.
- i) A fixed fee (in Canadian dollars) for remuneration, inclusive of all disbursements and exclusive of the Harmonized Sales Tax. All sub-consultant fees shall be identified and included in the fixed fee. Any sub-consultant activity proposed shall be managed and paid for by the lead consulting firm. The lead consulting firm shall be responsible for the satisfactory provision and completion of any sub-consultant work or service.
- j) The fixed fee shall be submitted on a spreadsheet basis broken down to indicate specified work components, together with respective staff hours and rates.

## 5.0 Evaluation Criteria

The evaluation and selection process will be based on a two-step process.

### Step One – Core Criteria

The proposal submissions will be evaluated based on the submission information meeting the core requirements of the goods or services that are part of this Request for Proposal. The requirements listed below must be clearly met within the documentation of the proposal. Stating it can be done or has been done, will not constitute clearly meeting the requirement without proven background information demonstrating the vendor capabilities.

This table will be completed by the Manager during Step One of the process.

Core Requirements	Compliant	Bid Rejected
Bidders must clearly demonstrate their past work in Development Charge reviews, and clear understanding of the Development Charges Act, as current to the date of Proposal Issue.		

### Step Two – Evaluation Criteria

The second step of the evaluation process will only involve those proposals that the Township of Rideau Lakes have deemed acceptable from Step One of the process.

The second step is to establish the awarding of the proposal on a numerical scoring system. Proposals will be assigned a score for each category. Each category will be weighted as shown to reflect the goals for the proposal.

Description	Weight	Points	Maximum Total Points
<b>Qualifications, Expertise and Performance on Similar Projects:</b> Past ability to successfully complete projects within timelines and budgets Stability and reputation of the firm Qualifications of technical support staff Qualifications of senior staff / project manager	15%		15
<b>Proposed Project Manager and Team:</b> Past experience in directing / involvement with similar projects Specialized field or expertise Understanding of proposed project	20%		20
<b>Completeness and Creativity of Proposal and Schedule:</b> Availability of key staff Demonstrated cost control / monitoring program Methodology and Schedule Quality Assurance Program	5%		5



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Creativity and innovation demonstrating how the firm will assist the Township in achieving efficiency, and the most effective utilization of the Township's and the firm's resources			
<b>Knowledge of Township regarding this Project:</b> Members of the Consultant team must be familiar with the Township and the requirements of the community	10%		10
<b>Financial Merits:</b> Overall cost of the submission for the services that are subject to this Request for Proposal	50%		50
<b>Total Points</b>			<b>100</b>

## 6.0 Bid Evaluation Process

The objective of this section is to describe the criteria in the selection of a bidder with which the Township would:

- a) Enter into a contract for the goods or services identified in the invitation to bid; or,
- b) Commence the negotiation process for a contract; or,
- c) Recommend for Township of Rideau Lakes Council's consideration, the acceptance of the bid submission.

The following process would apply:

- a) Scrutiny of the bid submissions relative to compliance with the requirements of the Request for Proposal, such as signed forms, schedules, meeting technical specifications including adherence to items where "No Substitutes" are allowed, and agreement with the Township of Rideau Lakes General Terms and Conditions.
- b) Elimination of bids not meeting the fundamental requirements stated above, as well as elimination of bids not received on time.
- c) Elimination of bids from contractors and vendors where that contract, vendor, or its principals have been, or currently are, involved in litigation with the Township of Rideau Lakes, other than a claim for property damage or personal injury, where that litigation impacts upon the ability of the parties to further engage in reasonable business relations.
- d) Evaluation of the merits of all compliant bids. The evaluation will consider financial and technical merits, vendor/contractor reputation based on past performance with the Township of Rideau Lakes and with others, initial costs, ongoing maintenance costs and overall cost effectiveness over the long term.