



McGill

Facilities Operations and Development
Gestion et développement des installations

Public tender process
Processus d'appel d'offres

Public tender process Processus d'appel d'offres



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Law C-65.1 – PROCESS TO AWARD CONTRACT

According to *Law C-65.1 Act respecting contracting by public bodies (LOI SUR LES CONTRATS DES ORGANISMES PUBLICS)*, McGill University as a public institution has to call for a public tender on every procurement, service or construction contract over \$100,000 **excluding taxes**. For Facilities Operations and Development that means we have to go through that process to hire a professional (architect, engineer, project manager, etc...) or a general contractor.

There are three types of tenders based on the definitions in Act 65.1

1. Construction contracts
2. Service contracts
 - a. Architects and consulting engineers subject to a tender on absolute quality appraisal only.
 - b. Other service contracts subject to a tender on price or a tender on adjusted price with quality appraisal (This includes project managers, construction safety managers, other specialty consultants like hazardous materials)

Contract value excluding TX < \$25,000		>\$25,000 - <\$100,000		>\$100,000 - publish on SEAO		
Architect / Engineers / others	General Contractors	Architect / Engineers / others	General Contractors	Architect / Engineers	Other professionals	General Contractors
By mutual agreement – see list of preferred professionals (a)	By mutual agreement – see list of preferred general contractors – offer of service will be signed (b)	By mutual agreement – see list of preferred professionals (a)	Price tender call on invitation – minimum of 3 bidders – Cahier des charges sent by PM to bidders	Quality evaluation only – public tender	Public tender with adjusted price: - 2 envelopes provided by candidates at the same time: 1): File to evaluate the candidates (min note to pass = 70%) 2): price The price will be adjusted with the note awarded on step #1	Public tender in two steps: 1) Qualification 2) Price for qualified GC only <i>Note:</i> to go on public tender on price only, you need Director or Associate Director approval

(a): G:\FACDEV\SHARE\FAC_DEV\PROJECT MGMT\PROCEDURES\Contractor and Prof Lists\CONSULTANTS

(b): G:\FACDEV\SHARE\FAC_DEV\PROJECT MGMT\PROCEDURES\Contractor and Prof Lists\CONTRACTOR SUPPLIER LIST

Contract vs Service offer (<\$100,000)

If the professional liability is engaged on a project, a contract has to be signed (ex: design, plans, supervision). Otherwise, a Purchase order with an offer of services from the professional is sufficient (for a FTP or preliminary study)



STEP BY STEP PROCESS FOR TENDER

STAKEHOLDERS

AC = PM's administrative coordinator

CdC = administrative coordinator responsible for the "Cahier des charges" (Kim Smart)

PM = Project Manager

PR = Procurement representative

Professional = Architect or Engineer in charge of the project

SAC = Senior Administrative Coordinator – (Dianne Goudreau)

SC = Selection Committee

SEAO = Système électronique Appel d'offres

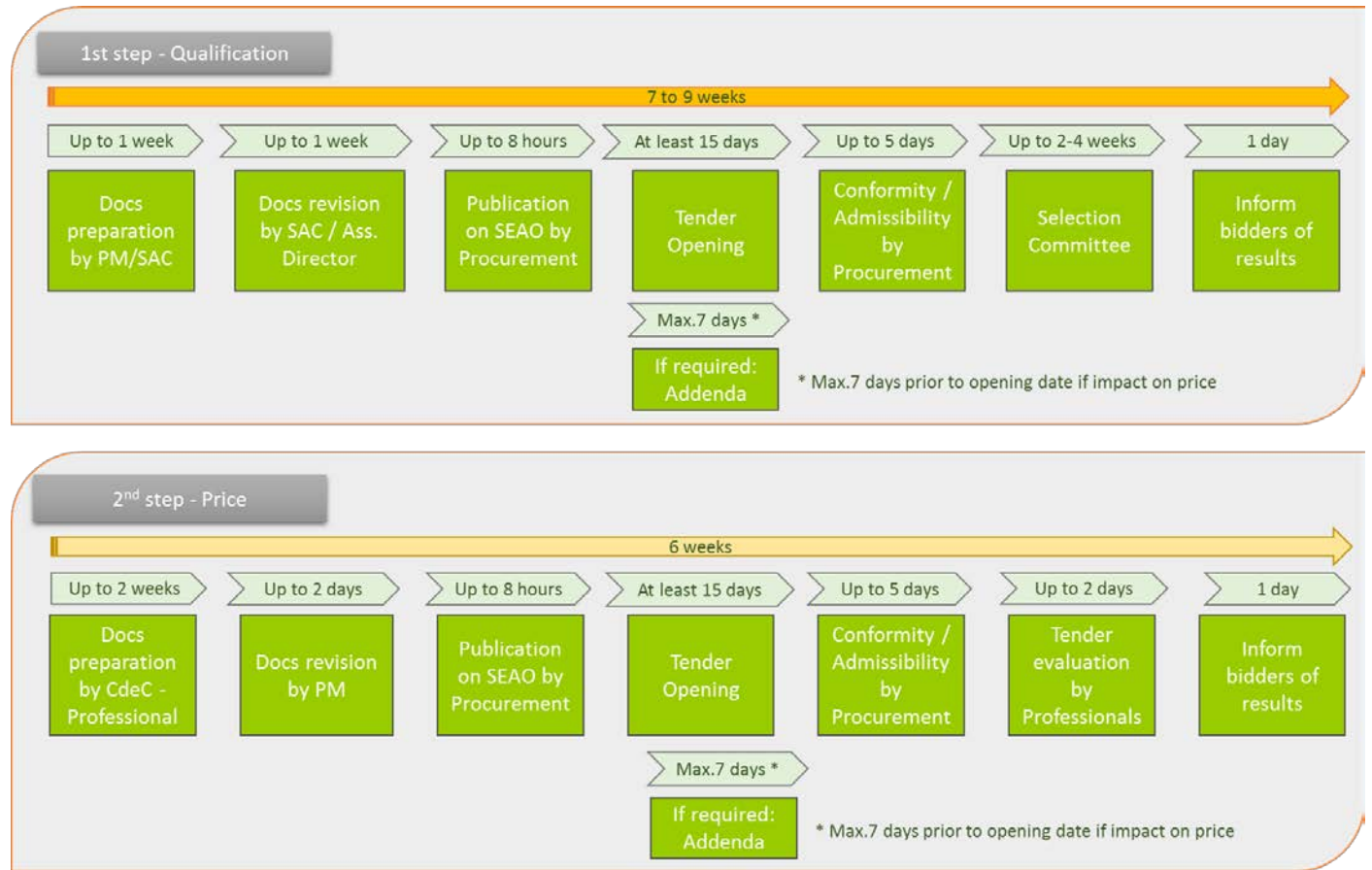
**** Note:** the approximate time required shown below represents the evaluation of time required to perform the task without interruptions and doesn't include the work load and prioritization of the work, vacations/days off and stakeholders' availability.

TIME CYCLE

You should allow at least

- Up to 2 weeks for document preparation
- 1 to 8 hours for your documents to be available on SEAO (publication)
- A minimum of 15 calendar days between the publication of tender and opening date (required by law): if an addendum is required that has an impact on the price, the opening date will have to be postponed for at least 7 days, from the date of the addendum (required by law).
- 1 week for Procurement to complete conformity and admissibility revision for all candidates
- 2 to 4 weeks for selection committee to evaluate the candidates, depending on selection committee members availability and if an interview is needed
- For a total of 7 to 9 weeks process for the 1st step on quality
- For the 2nd step (tender on price), it will be approximately the same delay except that the selection committee is not needed. of the length of the tender period may have to be more than 15 days – as much as three or four weeks – depending on the complexity of the "Plans et devis"

- Tasks responsibility: you can consult also excel summary under:
G:\FACDEV\SHARE\FAC_DEV\PROJECT MGMT\PROCEDURES\Appel d'offres\Tâches pour Appel offres.xlsm





CONTRACT OVER 100,000\$ BEFORE TAXES – PUBLIC TENDER:

1ST STEP – QUALITY (QUALIFICATION)

To evaluate the quality of a candidate

STEP	RESPONSIBLE PERSON	DESCRIPTION	APPROXIMATE TIME REQUIRED **
REQUEST TEMPLATE	PM	PM requests template (architect, engineer, PM, or general contractors) for qualification tender from SAC responsible of the tender process	Few minutes
CREATE DRAFT	PM	PM puts information required on Document 1 (project and building description, mandate, special conditions and calendar) and Document 2 (expertise particulière, criteria: need to be discussed with director or associate director)	3 to 5 hours
REVISION	PM	PM sends document to SAC for revision	Few minutes
CORRECTION	SAC	SAC revises and discusses with PM if corrections needed (expertise particulière & criteria need to be verified by SAC with director or associate director)	2 to 4 days
FINAL VERSION	SAC	SAC creates official version of documents to be published on SEAO and saves them under the project folder. SAC creates SEAO form with the help of PM	1 to 2 hours
INFORM PROCUREMENT	SAC	SAC sends email to PR to inform that documents are ready for publication on SEAO and where they are located in shared drive	Few minutes
PUBLICATION ON SEAO	PR	PR publishes documents on SEAO: opening date needs to be at least 15 calendar days from the moment documents are available on SEAO. The opening date must be on Mondays or Wednesdays. PR forwards confirmation of publication from SEAO to SAC	Less than one hour Delay for documents to be available on SEAO: up to 8 hours
SELECTION COMMITTEE SCHEDULE	SAC	SAC books qualification opening and schedules appropriate number of	2 to 4 hours (depending on everybody availability)

STEP	RESPONSIBLE PERSON	DESCRIPTION	APPROXIMATE TIME REQUIRED **
		selection committee meetings, asking PM for names of potential external members	
OPTIONAL STEPS			
ADDENDUM	PM - SAC	If modifications need to be done to the documents (ex: change of expertise particulière, date of opening, etc...), PM asks SAC for addendum template and prepares a draft, sends draft to SAC for editing. SAC will advise PR (and AC) when addendum is ready for publication on SEAO and is available in shared drive. <u>NOTE:</u> allow 7 calendar days before opening date if modification has impact on price.	2 to 4 hours Delay for Addendum to be available on SEAO: up to 8 hours
INFORMATION SESSION	SAC	If an information session is planned, SAC will send an invite to attendees (Director/Associate Director, PM , Procurement, etc.) and reserve a room.	2 to 3 hours (session is approx. 1 hour)
INFORMATION SESSION ADDENDUM	SAC	An addenda will be prepared by SAC and issued after the session to inform all bidders of the Q&A (even if the information session was mandatory)	2 to 4 hours Delay for Addendum to be available on SEAO: up to 8 hours
TENDER AND ATTENDANCE REPORTS	SAC	On the date of the qualification opening (before noon), SAC prepare the list of possible bidders based on the SEAO list and gives the list to reception (tender report and attendance form)	Less than 1 hour
TENDER OPENING	PR	On the date of the opening, PR opens all the envelopes received with a witness (habitually the PM). This session is open to public and occurs only on Mondays and Wednesdays	15 to 30 minutes (depending on number of tenders)
CONFORMITY	PR	PR verifies the conformity of the bidders	4 to 5 days
SELECTION COMMITTEE (SC)			
1ST MEETING	SC	SC meets for the first time: instructions, evaluation grid, confidentiality, admissibility	1 hour

STEP	RESPONSIBLE PERSON	DESCRIPTION	APPROXIMATE TIME REQUIRED **
Evaluation	SC	All members need to evaluate the bids individually	Less than 1 hour / candidate
2nd meeting	SC	SC meets for the second time to discuss their evaluation and decide on the score	2 to 3 hours
OPTIONAL - INTERVIEW	SC	if an interview (mostly for professionals and project managers) is part of the evaluation process, SAC sends an invite by email to the selected candidates and to the SC . SC interviews the candidates and revise the notes if needed	1 hour /candidate
RESULTS	PR	PR notifies all the bidders of the results and returns submissions to the PM's AC for filling	2 to 4 hours
FOR PROFESSIONALS - CONTRACT	AC	AC requests all documents to the winning firm and prepares the contract based on the information given by PM . The contract will be revised by Office Process Manager before signature	1 to 2 days

2nd STEP TENDER ON PRICE – GENERAL CONTRACTORS

To receive prices from qualified general contractors – exception: in some situation, we might skip the qualification and go directly for price tender. In these cases, director or associate director's authorization is required (ex: type of work (roof, windows), no sufficient qualified candidates...)

STEP	RESPONSIBLE PERSON	DESCRIPTION	APPROXIMATE TIME REQUIRED **
REQUEST FOR CAHIER DES CHARGES	PM	PM requests the “Cahier des charges” form from CDC. PM completes the one page form and sends it back to CDC	Less than one hour
SEAO FORM	CDC – SAC - PM	CDC sends copy of email request to SAC who prepares draft of SEAO tender call form and sends to PM, asking to have it back with input for final editing and approval for publication. SAC sends email back to PM with cc to PR to confirm that SEAO form is approved for publication. Note: opening date must be on Mondays or Wednesdays	1 to 2 hours
CAHIER DES CHARGES	CDC	CDC creates the “cahier des charges” and sends it back to PM. CDC creates all related reports and saves them on the G drive (Audit des déchets, Variance request, Ordre de changements...)	Allow 1 to 2 days
REVISION	PM	PM revises with Professional and adjust document based on the specific needs of the project (see colored sections in cahier des charges)	2 to 3 hours
PLANS & DEVIS	Professional	Professional adjusts the “cahier des charges” as needed and adds all the “plans et devis” related to the project	1 to 3 hours (+ time to create the “plans et devis”)
UPLOAD CAHIER DES CHARGES TO SEAO	Professional	Professional uploads the documents on SEAO using McGill account (code provide by PR). Note: when a qualification was done on the project, the Professional must use the 1 st step publication done on SEAO to produce the 2 nd step on price	Less than one hour
NOTIFICATION TO PROCUREMENT	Professional	Professional notifies PR that documents are available on SEAO to be published	Few minutes

STEP	RESPONSIBLE PERSON	DESCRIPTION	APPROXIMATE TIME REQUIRED **
PUBLICATION TO SEAO APPROVAL	PR	PR approves publication and forwards SEAO confirmation to SAC	Less than one hour. Delay for documents to be available on SEAO: up to 8 hours
TENDER OPENING SCHEDULE	SAC	SAC books tender opening, inviting PR , PM , ACs and Reception	Few minutes
<i>OPTIONAL – ADDENDA if a modification is needed (addition, new plans, opening date postpone, etc.)</i>			
REQUEST FORM	Professional	Professional requests the official form (Addenda) from SAC	Few minutes
ADDENDUM DRAFT	Professional	Professional prepares the addendum and sends it to SAC for revision and approval (Word version with all other annexes & plans). Note: allow a minimum of seven calendar days prior to the opening date if the change in the addenda impacts the price. Otherwise you will need to postpone the opening date accordingly.	2 to 4 hours
ADDENDUM REVISION	SAC	SAC revises the addendum and sends it back to Professional with cc to PR and AC confirming that addendum is approved for publication.	1 hour
UPLOAD TO SEAO	Professional	Professional uploads the addendum on SEAO and sends notification to PR	1 hour
PUBLICATION	PR	PR approves publication	Less than one hour. Delay for documents to be available on SEAO: up to 8 hours
SITE VISIT ATTENDANCE FORM	AC	AC prepares the mandatory site visit attendance form	Less than one hour
SITE VISIT	PM	PM prepares the mandatory site visit: all bidders must sign the attendance form	1 to 2 hours
TENDER AND ATTENDANCE REPORTS	AC	AC prepares the tender report and attendance form and gives it to reception before the opening date of the tender	Less than one hour
TENDER OPENING	PR	On the date of the opening, PR opens all the envelopes received with a witness (habitually the PM). This session is open to public	15 to 30 minutes (depending of number of tenders)



STEP	RESPONSIBLE PERSON	DESCRIPTION	APPROXIMATE TIME REQUIRED **
CONFORMITY & ADMISSIBILITY	PR	PR verifies the conformity and admissibility of the bidders	4-5 days
TENDER EVALUATION	PM	PM sends the winning bid to the Professional for evaluation and recommendation	1 to 2 days
RESULTS ON SEAO	PR	PR publish the results on SEAO within 4 business days	1 to 2 hours
CONTRACT	AC	AC requests all documents to the winning firm and prepares the contract.	2 to 3 days



TENDER ON PRICE BY INVITATION: CONTRACT > 25 000\$ & <100 000\$ BEFORE TAXES FOR GENERAL CONTRACTORS

STEP	RESPONSIBLE PERSON	DESCRIPTION	APPROXIMATE TIME REQUIRED **
ESTIMATE	PM / Professionals	PM must compile a formal estimate from the Professionals indicating that the probable cost will be less than \$100K, in der for the tender by invitation step to occur.	Less than one hour
REQUEST FOR CAHIER DES CHARGES	PM	PM requests the “Cahier des charges” form from KS. PM completes the one page form and sends it back to KS	Less than one hour
CAHIER DES CHARGES	KS	KS creates the “cahier des charges” and sends it back to PM. KS creates all related reports and saves them on the G drive	Allow 1 to 2 days
REVISION	PM	PM revises with Professional and adjust document based on the specific needs of the project (see colored sections in cahier des charges)	2 to 3 hours
PLANS & DEVIS	Professional	Professional adjusts the “cahier des charges” as needed and adds all the “plans et devis” related to the project	1 to 3 hours (+ time to create the “plans et devis”)
NOTIFICATION TO PROCUREMENT	PM / AC	PM / AC notifies PR that we will have a tender opening on XX date (only on Mondays and Wednesdays)	Few minutes
INVITATION TO GENERAL CONTRACTORS	PM	PM sends the “cahier des charges” and the “plans et devis” by email to at least three General Contractors to request a price	Less than one hour
TENDER OPENING SCHEDULE	SAC	SAC books tender opening, inviting PR, PM, ACs and Reception	Few minutes
<i>OPTIONAL – ADDENDA if a modification is needed (addition, new plans, opening date postpone, etc.)</i>			
REQUEST FORM	Professional	Professional requests the official form (Addenda) from SAC	Few minutes
ADDENDUM DRAFT	Professional	Professional prepares the addendum and sends it to SAC for revision and approval (Word version with all other annexes and plans)	2 to 4 hours

STEP	RESPONSIBLE PERSON	DESCRIPTION	APPROXIMATE TIME REQUIRED **
ADDENDUM REVISION	SAC	SAC revises the addendum and sends it back to Professional with cc to PR and AC confirming that addendum is approved for publication.	1 hour
ADDENDUM SENT TO GENERAL CONTRACTORS	PM	PM sends addendum to all General Contractors to notify them of the changes	Less than one hour
SITE VISIT ATTENDANCE FORM	AC	AC prepares the mandatory site visit attendance form	Less than one hour
SITE VISIT	PM	PM prepares the mandatory site visit: all bidders must sign the attendance form	1 to 2 hours
TENDER AND ATTENDANCE REPORTS	AC	AC prepares the tender report and attendance form and gives it to reception before the opening date of the tender	Less than one hour
TENDER OPENING	PR	On the date of the opening, PR opens all the envelopes received with a witness (habitually the PM). This opening session is open to public	15 to 30 minutes (depending of number of tenders)
CONFORMITY & ADMISSIBILITY	PR	PR verifies the conformity and admissibility of the bidders and sends comments to PM	2 to 3 days
PRICE RESULTS	PM	PM sends by email to all bidders the prices received for the projects	Few minutes
TENDER EVALUATION	PM	PM sends the winning bid to the Professional for evaluation and recommendation	1 to 2 days
RESULTS ON SEAO	PR	PR publish the results on SEAO	1 to 2 hours
CONTRACT	AC	AC requests all documents to the winning firm and prepares the contract.	2 to 3 days



SUPPLEMENTAL INFORMATION

1) DOCUMENTATION

Contract value under 25 000\$:

The contract will be awarded on a mutual agreement (gré à gré) with the professional or the general contractors. If the professional liability is engaged on a project, a contract has to be signed with the professional (ex: design, plans). Otherwise, a PO with an offer of services from the professional is sufficient.

Contract value between 25 000\$ and 100 000\$:

- Professional (architect / engineer): same as the contract under 25 000\$
- General contractor: The PM should request quotes from at least, three general contractors. A cahier des charges must be prepared to request the quotes.

Contract value over 100 000\$:

McGill must go on public tender. The first step is to prepare the tender documentation. Our templates change often so be sure to always use the latest version of the document and request them from Senior Administrative Coordinator. The PM must provide basic information related to the project to the Senior Administrative Coordinator responsible of the tender process

- For the professionals, only one step is required to evaluate the quality of the candidates.
- For general contractors: at McGill, we endorse the two-step public tender.
 - 1st step: evaluate candidates on a minimum of quality (pass or fail). Note: to avoid the 1st step on quality, the PM must request the approval of the Director or Associate director
 - 2nd step: tender on price for the qualified general contractors.

Information needed in each document for public tender

- **Document 1- Le mandat:** to describe the project
 - *Description sommaire du projet et son contexte:* include a small description of the project, the approximate value of the project if known and a building description (you can get information for your description from this site : http://cac.mcgill.ca/campus/building_names_fr.html) and with the help of the Senior Administrative Coordinator
 - *Description sommaire du mandat:* what services you want from the bidder
 - *Conditions particulières:* special environment context the bidder will have to face
 - *Calendrier de réalisation:* specific dates for each steps
 - Specify also the time and place if an **information session** and /or **site visit** (mandatory or not) will be held. This information session is to help candidates if

they have any questions on the bid or how to fill up the forms. An addenda will be published after the session with all the Q&A.

- **Document 2 – Instructions:** instructions to bidders on how to present their candidacy.

Information needed:

- o Project and building name
 - o Expertise particulière (you need to balance your criteria between accessibility for bidders and quality of work)
 - o Project manager information
 - o Limit date to submit their candidacy
 - o How many employees (architects, engineers, needed in the company)
 - o Years of experience for main professionals (between 5 to 10 years habitually)
 - o Chiffre d'affaires minimum (approximately 3 times the contract value)
 - o In the case of a qualification for a general contractor, be careful of the license you required. Habitually it's the *1.3 – Entrepreneur en bâtiment de tout genre* that we required. **If you need to change this, be sure not to restrict the potential candidates.** If possible, keep the 1.3 and add the one you require for this particular project. As an example, in one bid, we required the *1.9 – Entrepreneur en mécanique du bâtiment* only. On five bidders, only one had this license, all the others had the 1.3 that would have been ok for this particular project. So we had to award the contract to the 4th bidder, meaning a supplemental cost of \$25,000. On the other hand, on another project, we needed the license *1.4 – Entrepreneur en routes et canalisation* specifically as the license 1.3 was not required to do this type of work.
- **Document 3 – Formulaire de dossier de candidature:** form that will be completed by the bidder for McGill to evaluate their candidacy. This document needs **to be protected from editing before we submit on SEAO.**

When evaluating the content of one of these forms submitted by a candidate it is worth paying close attention to the following common mistakes/omissions:

1. General Contractor License. The GC license **MUST** be related to the work bid upon (i.e. large building GC license vs. small building GC license).

3. Cancelled Licenses. The Régie du Bâtiment (Québec) maintains a list on GC licenses that have been: (1) cancelled, (2) restricted; and (3) suspended. GCs that are on this list can be refused qualification without further justification than being on that list (<http://www.rbq.gouv.qc.ca/la-rbq/les-decisions/les-licences-annulees-suspendues-ou-restreintes.html>).



For price bid (general contractors) – CAHIER DES CHARGES

Tender for general contractors are done in two steps:

1. **Quality evaluation (minimum):** We ask for an “expertise particulière” and to demonstrate that the candidate has done similar projects. During that process, the selection committee will evaluate the EXPERTISE PARTICULIÈRE needed for this specific project and also, the similar projects done by the candidate. It’s a “pass or fail” evaluation. Only the candidates that have passed this 1st step, will be able to submit a price for the second step of the public tender.
2. **Tender on price:** The document to complete is the CAHIER DES CHARGES (CDC). The Administrative Coordinator (CdeC) will fill out the form for all projects (any correction done by PM). PM or APM on the project needs to complete the data sheet (Information table for CdeC drafts v.2013 – can be found under [G:\Projects\Cahier des charges\Information table for CdeC drafts v.2013-xx-xx.docx](#) and send it to CdC.

The CAHIER DES CHARGES package is a legal document whose purpose it is to detail all the contractual requirements that make up the project and is the base reference document employed for the duration of the project by all parties to the construction contract. When combined with the plans & specifications the CDC and the plans & specifications make up the total package of tender documents and form the basis for the contract documents that are signed at the time of contract award.

If important or unique conditions are specific to your project, it’s important to mention them in the CONDITIONS COMPLÉMENTAIRES GÉNÉRALES (ex: very tight schedule). It also should be reflected in their specifications.

A mandatory information session and site visit will be organized by the PM in order to answer all the bidders’ questions and for the bidders to see physically the site.

The Vice-principal’s authorization will be need in these special cases:

- The validity of the bid submitted should be over 45 days (standard is 45 days).
- If only one bid is compliant and admissible (price or quality) and we want to sign the contract with this general contractor or professional

Note: the contract in the CAHIER DES CHARGES should be left empty at the time of tender.

Sections included in the CAHIER DES CHARGES:

- a. **Instructions pour la publication de l’appel d’offres**
- b. **Instructions aux soumissionnaires + annexes**



<u>Annexe #</u>	<u>Required with</u>	<u>Name</u>
IS-1	with all bids	Formule de soumission (soumission prix)
IS-2	with all bids	Offre de prix
IS-3	with all bids	Ventilation de la soumission
IS-4	Per project	Déclaration des prix unitaires
IS-5	Per project	Déclaration des prix séparés
IS-6	Not usually included because contractors only contact subs after they know they've won a contract.	Liste des sous-traitants et leur prix
IS-7	with all bids	Cautionnement de soumission / accompanied by lettre d'engagement only if cautionnement d'exécution/gages et main d'œuvre are required
IS-8	with all bids	Formule de résolution pour autoriser la signature de la soumission et des documents qui y sont annexés – could be also formal document from the company

c. Contrat + annexes

<u>Annexe #</u>	<u>Required with</u>	<u>Name</u>
C-1	over \$100K or depending on the nature of the work (risk)	Cautionnement d'exécution
C-2	over \$100K or depending on the nature of the work (risk)	Cautionnement des obligations de l'entrepreneur pour gages, matériaux et services
C-3	all projects	Avenant à la police d'assurance de responsabilité civile
C-4	all projects	Avenant à la police d'assurance des chantiers



d. Conditions Générales, Conditions complémentaires + annexes

<u>Annexe #</u>	<u>Name</u>
CG-1	Ordre de changement
CG-2	Demande de paiement
CG-3	Déclaration solennelle de l'entrepreneur dans l'exécution du contrat d'entreprise
CG-4	Formulaire de quittance partielle
CG-5	Formulaire de quittance finale
CG-6	Certificat de réception provisoire
CG-7	Certificat de réception définitive
CG-8	Coût de la main-d'œuvre, des matériaux et de l'équipement
CG-9	Certificat de paiement
CG-10	Avis salariés et fournisseurs de biens et services
CG-11	Sécurité incendie sur les chantiers de construction
CG-12	Attestation de prise de possession anticipée

Fiscal Attestations for POs above \$25,000

We collect fiscal affidavits on public tenders and construction tenders by invitation.

(We will leave our Instructions to bidders as is, and still collect the affidavit when we do a tender by invitation) – For everything else – miscellaneous materials contracts, professional contracts, small POs. etc., we do not need affidavits.

2) REVISION

When all the documents are completed (Document 1, 2 and 3, addenda, SEAO form except for the cahier des charges), they will be revised by the Senior Administrative Coordinator (SAC) or by the Office Process Manager in her absence.

3) PUBLICATION ON SEAO – if > 100,000\$

For professional or general contractor qualification, the Senior Administrative Coordinator (SAC) has to send these documents and her approval to the PM and to procurement at publicbid.procurement@mcgill.ca when all documents are approved (REVISION):

- o Document 1



- Document 2
- Document 3
- SEAO form (information needed to publish)
- Copy of the contract

For General Contractor public tender on price, the professional will upload the documents directly on SEAO and notify Procurement by email (publicbid.procurement@mcgill.ca) so that the publication will be approved by them.

Delay to publish: if the document is standard format 8.5 x 11, the delay is **4 hours** but for documents including plans, the delay will be **8 hours** (sometimes published the next day). By law, we need to allocate at least **15 calendar days** between the publication date on SEAO (not the day you sent it to procurement) and the limit date to receive the candidacies.

After the publication, any change will be done through addenda (see this section for more details)

4) ADDENDA

Purpose

On occasion, project managers, construction professionals, administrators, bidders and/or clients may request changes to be made to tender documents, the Cahier des charges or the plans after the tender documents have been published. The change could be to modify the “expertise particulière”, evaluation criteria, date of the opening, change to the plans, etc. An addendum must be created to reflect the changes.

- 1st step – quality evaluation for professionals (qualification): The PM will discuss with SAC to create the addendum;
- 1st step – quality evaluation for general contractors (qualification): The professional will request the McGill addenda form. The professional in charge of the project and PM will discuss to create the addendum. Once created, the professional needs to send the document to SAC for review. He should send the Word version of the addendum;
- 2nd step – tender on price: The professional will request the McGill addenda form. The professional in charge of the project and PM will discuss to create the addendum. Once created, the professional needs to send the document to SAC for review. He should send the Word version of the addendum with all related documents (new plans, architecture and/or engineer addenda).



Definition

The addendum is a legally binding document that is issued by the lead professional and/or McGill of a given project for the purposes of providing clarification, modification, or additional information to original components of the tender documents.

When crafting and/or reviewing an addendum for publication it is of the utmost importance to understand that the addendum represents a legal document which becomes a component of the tendering documents and the tendering process at large. The tendering process itself represents a binding contract with potential bidders and as such must be treated with great care and diligence.

Key components of an addendum

Any addendum published by McGill Facilities Operations and Development must include the following components:

1. McGill formatted title page;
2. Project title, building name and project number;
3. The SEAO number (if the project value is greater than 100K);
4. Addendum number;
5. First item indicating the acknowledgement of the addendum by the candidate (on Document 3 or Annex IS-1);
6. Body text of the Addendum; and
7. Statement noting "Fin de l'addenda #__".

An example addendum has been included in annex A to better illustrate these elements in addition to numerous other nuances that are better explained through illustrative examples. Please use the example included in this document as working references when formulating addenda.

The body of the addendum will be dependent on what the consultants need to issue, however the addendum should always begin with one of the two following article:

- For addenda on Qualification (1st step – évaluation de la qualité (Appel d'offres pour services d'architecture/d'ingénieur/entrepreneur général)) :

1. ACCUSÉ DE RÉCEPTION D'ADDENDA

Le Candidat doit indiquer à la page 3 du Document 3, Formulaire de dossier de candidature, qu'il a reçu l'addenda présent. C'est une condition essentielle de conformité de sa soumission.

- For Addenda on tender on price (2nd step –addressed to contractors):

1. INSTRUCTIONS AUX SOUMISSIONNAIRES SECTION 3, ART 4. MODIFICATIONS (ADDENDA) AU CAHIER DE CHARGES



Le candidat doit indiquer dans l'Annexe IS-1 Formule de soumission (soumission prix) qu'il a reçu l'addenda présent. C'est une condition essentielle de conformité de sa soumission.

- And, should always end with the following one:

“Fin de l'addenda # _____”

Q & A - Addenda

How much time should one provide between issuing an addendum and the opening date?

If the addendum about to be issued **will have an impact on price**, the minimum time between publication and tender opening should be no less than **7 working days** (The law requires seven CALENDAR Days, but we should use seven WORKING DAYS to provide a cushion of time in which McGill can review the addendum text and have the public bid administrator publish the addendum).

If the addendum will have no impact on the tender price it can be issued up to the very day of opening. That said, it is considered good form to allow a minimum of three (3) working days between publication and tender opening in these cases. In the case where the subject matter affects subcontractors: the subcontractors have to submit their bid to the Bureau des Soumissions Déposées du Québec (BSDQ) at least 72 hours (three working days) prior to the tender opening date to give the general contractor time to complete his own bid. Sometimes McGill needs to produce an addendum that will postpone the opening date and will impact one or many subcontractors after they deposited their bids to the BSDQ. It's the general contractor's responsibility to contact each of the subcontractors, submit the addendum and request a revised price.

While the seven (7) calendar days is defined by the law, the reasoning behind these minimum times is to ensure a fair, balanced and equitable tender process by allowing all potential bidders the time required to generate a competitive offer. Failing to adhere to this general philosophy of tendering can have legal ramifications and liability.

Keep in mind that an addendum can be issued at any time during the tendering process. The only caveat to this rule is that depending on the minimum time requirements noted above, the tender opening date may have to be adjusted in consequence. It should also be noted that there is a lag time between the creation of the addendum by the lead professional and its actual publication. This is a product of the McGill review process prior to publication in addition to the time delay involved in the SEAO publishing process.



The McGill review process involves the addendum being revised by the Senior Administrative Coordinator before being uploaded by the lead professional on SEAO. Once uploaded it is reviewed by McGill Procurement followed by a final review by SEAO once McGill Procurement approves the upload. This final step can take as long as 48-hours from the time of upload approval depending on the size of the documents.

Therefore you must build in a sufficient delay to account both for the legal delays required by the law and the administrative delay between the time that the lead consultant issues the addendum and the McGill public bid administrator manages to have it published. When in doubt, give yourselves more time than less, and postpone the tender opening date when required.

Who is in charge of drafting the addendum?

The lead consultant is the individual who is responsible for the crafting of the addendum. This is because the lead consultant is legally responsible for the content of the tender document package. Absent a lead consultant, the project manager assumes this responsibility.

Notwithstanding, the project manager has a responsibility to review these documents prior to publication and recommend adjustments as required. Further, additional changes may be recommended prior to publication by the Senior Administrative Coordinator, in consultation with the director or associate director or McGill Procurement.

Once the addendum is produced by the lead consultant it **MUST** be forwarded to the Senior Administrative Coordinator for revision prior to being uploaded on SEAO. Failing to do this will cause additional delays as a result of McGill Procurement not approving publication without having received prior approval from the Senior Administrative Coordinator.

How is an addendum article formulated?

The article needs to be clear about what it is modifying, clarifying or adding and therefore needs to refer to the specific line item or article of the tender document package that is being changed.

The exact formatting of an addendum article is illustrated in the example addenda included in this document. All modifications should be in sequential order of the articles in the document in question in addition to being in the order of the documents in the CDC.

In the body text of the specific changes, the following are the typically acceptable action words: *ajouter, modifier, clarifier*.

5) VISIT – INFORMATION SESSION



During the tender process, it's important for the Project manager to schedule information session and visit. For the pre-qualification, depending on the nature of the project, an information session can be held to help professionals or contractors understand better the nature of the work to be done. During this session, contractors or professionals are invited to ask question to clarify the mandate. The session is held at 1010 Sherbrooke West and are present:

- Director or Associate Director or other University Services Director
- Project Manager
- Senior Administrative Coordinator Tender process
- Procurement representative
- Lead professional on the project in the case of a general contractor qualification
- Professionals or contractors

The Senior Administrative Coordinator will produce an addenda to regroup all the information discuss during the session and publish the information on SEAO. This information session is normally not mandatory (need to be specify in Document 1 – Le Mandat).

On tender price for general contractors, a visit and information session is mandatory for all bidders. The project manager will invite all the bidders to visit the site related to the work and ask questions to clarify the mandate. The details (time, date and location) of the visit are available on the Cahier des Charges. They will be asked to sign the attendance sheet in order to prove their presence on site.

Under exceptional circumstances, the project manager may decide to organize a second site visit during the tender period.

6) BID OPENING

The bid opening is done twice a week, **Monday and Wednesday at 3h00 pm** at 1010 Sherbrooke West, 10th floor, Montreal. A meeting request is sent to procurement and the Project Manager by SAC– (or sent by the PM in the absence of the SAC).

For qualification, the professionals will habitually not show up for the opening. For price bids, general contractors will habitually show up to attend the opening.

The Senior Administrative Coordinator or procurement will submit a list of companies who bought the documentation from SEAO to the PM's Administrative Coordinator. Before the opening, the PM's Administrative Coordinator will produce a tender report with the list of companies and send it to the receptionist and procurement. After the opening, the PM's Administrative Coordinator will send the tender report with a copy of the visit attendance if any mandatory visit was scheduled.

Present: Procurement representative
Project manager or Assistant Project Manager (to witness the opening)
General Contractor (when price bid)



- Procedure:
- Project presentation (project number and title)
 - Presentation of people attending the opening
 - Presence sheet signed by general contractors and McGill staff
 - Open the envelopes
 - Date stamp and initials from PM and Procurement representative on the original copy
 - Procurement representative will pronounce at loud the name of the general contractor and the price of his bid
 - All the prices with the general contractor names are written down on the « Tender Report »

Procurement will assume the responsibility of declaring tender conformity and legitimate low bidder and for all bidders. This step is not done publicly. Procurement will make this assessment separately from the tender opening session. Before Procurement publishes the results and inform all the candidates, we cannot confirm to anyone who will sign the contract. We can only provide the prices received by all the candidates as this information is public.

Bid on price: If McGill decides not to go ahead with the project after the bid opening, a compensation will be allocate to the lowest bidder depending on the contract value:

- \$0 if contract value is under \$500,000
- \$2,000 for contract between \$500,000 and \$1,000,000
- \$5,000 for contract over \$1,000,000

7) SELECTION COMMITTEE

For every qualification, a committee is formed to evaluate all the candidacies. The members are:

- Procurement representative who will be the committee secretary
- FOD Director, FOD associate director, Director Design services or FOD Executive Director or other Senior Management member
- Project Manager responsible of the project
- External Member (outside of McGill)
 - o for general contractors qualification: habitually we ask the architect (or the engineer) responsible of the project to act as the external member
 - o for architect qualification: could be an engineer, other University employee with a professional title
 - o for engineer qualification: could be an architect, other University employee with a professional title
- *Senior Administrative Coordinator – facultative*
- *Client representative – facultative*

Selection Committee for:	1 st member	2 nd member	3 rd member (external)
Architect	Director or Associate Director*	User/client, and/or other University Services director	External member (from other institutions) or professionals in non-compete situation.
Engineer	Director or Associate Director	User/client, and/or other University Services director	Architect on the project (if one) as the external member or External member (from other institutions) or professionals in non-compete situation.
General Contractor	PM	<ul style="list-style-type: none"> • Other University Services director or professional (architect or engineer) • Director or Associate Director* • Senior PM 	Architect and/or or Engineer on the project as the external member
Project Manager	Director or Associate Director*	User/client, and/or other University Services director	External member (from other institutions) or professionals in non-compete situation.

* Director or Associate Director: ***there should be no direct report between committee members*** meaning: if a PM is on the selection committee, the Director or the PM's direct Associate Director cannot be on the same committee but the other Associate Director can attend

The group will meet to evaluate the candidacies based on the criteria elaborated in the documentation. The meetings are scheduled by the Senior Administrative Coordinator or PM. A first meeting (approximately 1 hour) will be held to (lead by the committee secretary):

- Introduce all the members
- Sign the confidentially form
- Explain the process: individual evaluation of all the candidates, discuss and confirm note for each of the candidate, interviews if required, results.

Each member of the committee will have to evaluate all candidates individually. A second meeting will be held to gather all the results and agree on a final note for each candidate. Basic rules to establish the criteria are:

Architects & Engineers:

- The evaluation is based on a minimum of 3 criteria
- Each candidate is evaluated on a note on 100;
- The passing note is 70;
- If none of the professional is over 70, we will need to change the criteria and go back to the tender process again;
- If we have 3 or more candidates over 80, the selection committee will interview the top 3 to determine the winner. The interview is to confirm the marks already given to the candidates and to see if any adjustments are needed.

General contractors

- The evaluation is based on a minimum of 3 criteria
- The qualification is to determine if the general contractors has the capacity to do the job. There is no note attributed by the selection committee. Only pass or fail;
- Only the general contractors who have passed the qualification are allowed to bid for price;
- If none of the general contractor passes the qualification, the selection committee will decide to go ahead with the price bid, open to all general contractors or they can decide to change the qualification criteria and go for a second round of tender bid.

Rules of the Road

- a. When a selection committee is being set-up by an external project manager, the McGill representative (Director or Assoc. Director) must approve the outside committee member recommended by the external PM;
- b. It should be noted that when the Project Manager is an external PM that they do not count as the external evaluation member for the evaluation of professionals;
- c. External PMs can be used as the external for General Contractor evaluations;
- d. The information discussed during the selection committee is strictly confidential.**

8) TASKS AND RESPONSABILITIES ON TENDER PROCESS

See file "**Tâches pour Appel d'offres.xlsm**" for all the details
(G:\FACDEV\SHARE\FAC_DEV\PROJECT MGMT\PROCEDURES\Appel d'offres)



ANNEX A – ADDENDUM EXAMPLE

Standard Header identifies McGill, the type of tender, Project and Addenda #

Université McGill Appel d'offres pour les services d'entrepreneur général
Titre : Remplacement de système CVAC (étages 1 à 6) – McIntyre des sciences médicales
Ingénieur Mécanique/Électrique : BPR Bâtiment Inc. ADDENDA N° 2

Indicate the Addenda #, the publication date (also reflect the date in footer), and SEAO number (same number as the one given for your tender documents)

Addenda N° 2

DATE D'ÉMISSION: 10 MAI 2013

DOSSIER SEAO:
N° 626959

Indicate the type of tender, project #, name and building

Appel d'offres pour services d'entrepreneur général :

Remplacement de système CVAC (étages 1 à 6)
McIntyre des sciences médicales

PROJET N° : 11-141

Standard footer with project #, pages and same date as above (publication date)

Projet N° 11-141 Page 1 de 4 10 Mai 2013
Référence : ADDENDA MAÎTRE EG 2012 v 1.00



ANNEX A – SUITE

Université McGill Appel d'offres pour les services d'entrepreneur général
 Titre : Remplacement de système CVAC (étages 1 à 6) – McIntyre des sciences médicales
 Ingénieur Mécanique/Électrique : BPR Bâtiment Inc. ADDENDA N° 2

This Art. 1 - Required in any addendum

1. INSTRUCTIONS AUX SOUMISSIONNAIRES SECTION 3, ART 4. MODIFICATIONS (ADDENDA) AU CAHIER DES CHARGES

Le Candidat doit indiquer dans l'Annexe IS-1 – Formule de soumission (soumission prix) qu'il a reçu l'addenda présent. C'est une condition essentielle de conformité de sa soumission.

Always reference specific article numbers of tender document being addressed

2. INSTRUCTIONS AUX SOUMISSIONNAIRES ART 9 : DATE ET HEURE LIMITE POUR LA RECEPTION DES SOUMISSIONS

Veillez noter que la date limite de réception des soumissions est reportée au 22 mai 2013.

L'heure limite de 15 h 00 et le lieu de dépôt des soumissions demeurent inchangés.

3. CONDITIONS GÉNÉRALES COMPLÉMENTAIRES, **ARTICLE 27.11** PHASAGE DES TRAVAUX

Sous le paragraphe *Critère de réalisation*, ajouter les points suivants :

6. Les travaux réalisés dans les salles de mécanique du 1^{er} et 4^e étage, dans les grands amphithéâtres du 5 et 6^e étages (#629 et #641), l'amphithéâtre du 5^e étage (#527) et dans la bibliothèque du 3^e et 4^e étage pourront être effectués de jour. Par contre, tous les travaux bruyants et les percements devront être effectués de soirs et de nuits, tel que l'horaire décrit précédemment.

7. Tous les arrêts de services des systèmes de ventilation se feront de soirs et de nuits, tel que l'horaire décrit précédemment.

Order of articles in the addendum reflects order of original documents

4. MODIFICATIONS /INFORMATIONS SUPPLÉMENTAIRES – ADDENDA EN MÉCANIQUE N° M-1

Voir l'addenda no M-1 en architecture émis par BPR Inc. et daté du 07 mai 2013, annexé à la présente. Le document comporte trente-trois (33) pages.

Use of standardized action words

5. MODIFICATIONS /INFORMATIONS SUPPLÉMENTAIRES – ADDENDA EN ARCHITECTURE N° A-1

Voir l'addenda no A-1 en architecture émis par Aedifica Inc. et daté du 09 mai 2013, annexé à la présente. Le document comporte vingt (20) pages.

Mandatory at the end of all addenda

Fin de l'addenda N° 2.