

# **DISTRICT OF MACKENZIE**



## **REQUEST FOR PROPOSAL**

### **DOM-01-24 Flowers and Plants**

Issue Date: January 30, 2024

Closing Date: 4:00 pm - February 20, 2024

District of Mackenzie  
1 Mackenzie Blvd., Bag 340  
Mackenzie, BC V0J 2C0  
Attn: Joe Murray, Director of Operations

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## Introduction

The District invites qualified and experienced companies to submit a proposal to supply the District of Mackenzie with plants and flowers for the community gardens and hanging baskets. The plants will be required to be delivered by end of May 2024 for planting in June 2024. All plants must be at a transplantable stage and of healthy maturity. **Desired and quantity of flower and plants are listed included in Appendix C.**

This RFP will be called **DOM-01-24 Flowers and Plants**

The District is not necessarily interested in obtaining the lowest price for this product. The quality of the product or service, performance, delivery, maintenance, service, and other factors will be taken into consideration in the evaluation of this request for Proposal.

The following terms will apply to all Proposals related to this Request for Proposal.

## Definitions

- 1.1. **"Contract"** means the written agreement resulting from this Request for Proposal, if any, in accordance with this Request for Proposal.
- 1.2. **"Proponent"** means the person submitting a proposal.
- 1.3. **"Proposal"** means a submission in response to this request for proposals;
- 1.4. **"RFP"** means this request for proposals
- 1.5. **"the District"** means the District of Mackenzie
- 1.6. **"must," "shall" or "mandatory"** means a requirement that must be met in order for the proposal to receive consideration;
- 1.7. **"should" or "desirable"** means a requirement having a significant degree of importance to the objective of the request for proposals, but which the District would strongly prefer to be fulfilled, and which the District may in its sole discretion elect to treat the failure to fulfill as a ground for rejection of a Proposal;

## Timeline

The following timeline is an estimate and may be adjusted at the District of Mackenzie's discretion any time during this procurement process.

### Distribution of RFP

**Deadline for questions submitted by email**

**Upload of final Q&A Document (if required)**

**RFP Submission Deadline**

**January 30, 2024**

**8:00am (PST) February 12, 2024**

**February 16, 2024**

**4:00pm (PST) February 20, 2024**

## Proposals

- a. The Proponent shall complete and submit the following documents with the Proposal submission:

- ☐ Background information on Proponent including experience and qualifications in the equipment industry
- ☐ Appendix A – Proponent Information and Agreement Form
- ☐ Appendix B – Bid Form
- ☐ Appendix C – Required Specifications Sheet

- b. Prices should be quoted:

- In Canadian dollars;
- Inclusive of duty, where applicable;
- Inclusive of PST if applicable;
- FOB destination, delivery charges included where applicable;
- Goods and Services Tax (GST) should be shown as a separate line item.

## Sub-Contracting

- a. All Vendors should fully disclose any proposed subcontracting of any of the required services.
- b. Using a sub-contractor (who must be clearly identified in the Proposal) is acceptable. This includes a joint submission by two Proponents having no formal corporate links. However, in this case, one of these Proponents should be prepared to take overall responsibility for successful interconnection of the two product or service lines and this must be defined in the Proposal.
- c. Sub-contracting to any firm or individual whose current or past corporate or other interests may, in the District's opinion give rise to a conflict of interest in connection with this project will not be permitted, and a Proposal may be rejected on this basis in the District's absolute and unfettered discretion. This includes, but is not limited to, any firm or individual involved in the preparation of this Request for Proposal.

## Addenda & Questions

- a. Proponents are advised that all subsequent information regarding this RFP, including any addendum, will be distributed on the District's webpage. Notification will not automatically be sent to all Proponents. It is the responsibility of all Proponents to check for addenda, which may

be posted at any time up to closing time, prior to submitting their Proposal. All addenda should be acknowledged in a Proponent's Proponent Information and Agreement Form.

- b. To clarify any issues in this RFP, the District of Mackenzie will respond only to questions that are presented through e-mail. Questions should be submitted to **Joe Murray** at [jmurray@districtofmackenzie.ca](mailto:jmurray@districtofmackenzie.ca). Telephone questions will not be accepted.
- c. All questions must be received by **email by February 12, 2024**.

All questions and answers will be consolidated into a single Q&A document which will be posted on the District of Mackenzie website at [www.districtofmackenzie.ca](http://www.districtofmackenzie.ca), with the RFP documents, on **February 12, 2024**. This document will be updated and republished on **February 16, 2024** if needed:

- d. The District reserves the right to seek clarification regarding the Proposal with the Proponent to assist in making evaluations. The Proponent should submit the name and telephone number of a person the District may contact regarding any questions or clarifications relating to the Proponent's submission to the Request for Proposals.

## Submitting Your Proposal

- a. Proposal submissions should be titled "**DOM-01-24 Flowers and Plants**" in the subject line.
- b. Completed Proposals must be received by courier, mail, hand delivery, or email to:

**Jody Murray**  
**Director of Operations**  
**Bag 340, 1 Mackenzie Blvd.**  
**Mackenzie, BC, V0J 2C0**

[jmurray@districtofmackenzie.ca](mailto:jmurray@districtofmackenzie.ca)

- c. The deadline for receipt of complete Proposals is **4:00 pm Pacific Standard Time, on February 20, 2024**. Late Proposals will not be accepted and will be returned to the Proponent.

## Proponent & District Responsibilities

- a. It is the responsibility of Proponents to ensure compliance with all requirements and deadlines. It is the responsibility of Proponents to ensure delivery of all required response material. Proposals which are not in compliance with the RFP requirements may be rejected.
- b. The District of Mackenzie assumes no responsibility for technological or logistical issues in delivering Proponent responses.

- c. All costs of preparation and presentation associated with a response to this RFP will be the responsibility of the Proponent.
- d. Proponents may be asked to make a presentation before the District if selected as a finalist.
- e. The District reserves the right to enter into a contract with a Proponent for all, part, or none of the service or products that are the subject of this Request for Proposals.
- f. Submission of a Proposal in response to this RFP indicates the Proponent's acceptance of the terms and conditions contained within the RFP.
- g. Proponents who have obtained the Request for Proposal electronically must not alter any portion of the document, with the exception of adding the information requested. To do so will invalidate the Proposal.

## **Alternate Proposals & Changes to Proposal Wording**

- a. If an alternate solution is offered, the information should be submitted in the format requested as a separate Proposal.
- b. The Proponent will not change the wording of their Proposal after closing and no words or comments will be added to the Proposal unless requested by The District of Mackenzie for purposes of clarification.

## **Conflict of Interest and Disclosure of Business Relationships**

Any potential conflict of interest must be disclosed to the District. Proposals will not be evaluated if the Proponent's current or past corporate or other interests are, in the reasonable opinion of the District deemed or perceived to be a conflict of interest in connection with this RFP or the activities or mandate of the District.

- a. All Proponents must make full disclosure of any of the following existing business relationships with any members of the District of Mackenzie Mayor and Council, District employees or immediate relatives of any members of the District's employees:
  - If a private company, details of ownership of shares by any of the above;
  - If a public company, details of ownership of shares, in excess of one percent (1%) to total shares by any of the above;
  - If a partnership, details of any partnership arrangement of any of the above;
  - Details of any direct or indirect pecuniary interest of any of the above in the supply of such goods and services.
- b. Disclosure, if any, shall be made in writing at the time of submitting Proposals.

- c. If the Proponent fails to disclose an interest and/or the interest is falsely or insufficiently reported, the District reserves the right to reject the Proposal in its absolute discretion.

## Confidentiality

- a. All Proponents and any other person who through this RFP process gains access to confidential financial information of the District are required to keep strictly confidential all information which in any way reveals confidential business, financial or investment details, programs, strategies, or plans, learned through this RFP process. Information pertaining to the District obtained by the Proponent as a result of participation in this process is confidential and must not be disclosed without written authorization from the District.
- b. The Proposal should clearly identify any information that is considered to be confidential or proprietary information (the "Confidential Information"). However, the District of Mackenzie is subject to the Freedom of Information and Protection of Privacy Act. As a result, while the Act offers some protection for third party business interests, the District of Mackenzie cannot guarantee that any Confidential Information provided to the District of Mackenzie can be held in confidence if a request for access is made under the Freedom of Information and Protection of Privacy Act.

## Evaluating Proposals

- a. Evaluation of Proposals will be by a committee formed from The District of Mackenzie's Public Works Department and may include members of the District's Finance and Corporate Departments and District contractors.
- b. Awards will be based on the best value offered, and the best value will be determined by the District in its sole discretion. Evaluation criteria will be:

EVALUATION CRITERIA	WEIGHT
Budget	30
Ability to meet specifications	30
Warranty and Value-added Services	20
Delivery Date	20

- c. While previous experience with the District is not required and does not in any way confer an advantage, the District's previous experience with the Proponent may also be taken into consideration in its evaluation of Proposals. The District reserves the right to rely upon its records, references, and recollection in this regard. The District may also obtain references other than those provided by the Proponent and may use these references in determining the best value.

- d. By responding to this RFP, proponents will be deemed to have agreed that the decision of the District will be final.

## Communication with the District of Mackenzie

- a. Only the Director of Operations for the District of Mackenzie (or designate) is the District's representative authorized to communicate and otherwise deal with Proponents and all Proponents should communicate and otherwise deal with that person only. Contact with any other District representative, including Members of Council, officers or employees of the District regarding this RFP or a Proponent's submission may result in that Proposal being removed from consideration for this RFP. As stated above, all communication should be presented via email to the address stated above.
- b. All Proponents who have submitted a Proposal will be notified of the Board's decision after the final selection has been made. This notice of final selection may be the only communication between the District of Mackenzie and Proponents. Telephone or other inquiries concerning this Proposal after the Proposal deadline are discouraged.

## Rejection & Acceptance of Proposals

### No Obligation to Proceed

The District reserves the right to cancel this Request for Proposals at any time and for any reason, and will not be responsible for any loss, damage, cost, or expense incurred or suffered by any Proponent as a result of that cancellation. The receipt by the District of any information (including any submissions, ideas, plans, drawings, models, or other materials communicated or exhibited by any intended Proponent, or on its behalf) shall not impose any obligations on the District.

### Acceptance and Rejection of Proposals

- a. This Request for Proposal should not be construed as an agreement to purchase goods or services. The District is not bound to accept the lowest priced or any Proposal of those submitted. The District will be under no obligation to receive further information, whether written or oral, from any Proponent.
- b. No act of the District, other than a notice in writing signed by the Chief Administrative Officer or the Director of Operations, shall constitute an acceptance of a Proposal. Note that any acceptance may be subject to Council approval.
- c. Neither acceptance of a Proposal nor execution of a Contract will constitute approval of any activity or development contemplated in any Proposal that requires any approval, permit or

license pursuant to any federal, provincial, regional district or municipal statute, regulation, or bylaw.

- d. The District's intent is to enter into a Contract with the Proponent who has submitted the best offer. The District reserves the right to accept any or none of the proposals submitted and will evaluate proposals based on the best value offered to the District and not necessarily the lowest price, using the criteria specified in this RFP. The District reserves the right in its sole unrestricted discretion to:
  - a. accept any Proposal which the District deems most advantageous to itself;
  - b. reject any and/or all irregularities in a Proposal submitted;
  - c. waive any defect or deficiency in a Proposal whether or not that defect or deficiency materially affects the Proposal and accept that Proposal;
  - d. reject any and/or all Proposals for any reason, without discussion with the Proponent(s);
  - e. accept a Proposal which is not the lowest Proposal; and
  - f. cancel or reissue the RFP without any changes;
- e. The District reserves the right to enter into negotiations with one or more Proponents concerning the terms and conditions of the services to be provided, and expressly reserves the right through such negotiations to request changes, alterations, additions, or deletions from the terms of any Proposal received.
- f. If the District chooses to enter into a contract with a Proponent as a result of this RFP, the successful Proponent may be required to enter into a written agreement with the District. Such agreement will be prepared by the Director of Operations and will embody the terms of the Proposal and any subsequent written amendments.

## Limitation of Damages

The Proponent is responsible for ensuring that they have obtained and considered all information necessary to understand the requirements of the RFP and to prepare and submit their Proposal.

Proponents are solely responsible for their own expenses in preparing a Proposal and for subsequent negotiations with the District, if any.

Proponents acknowledge that the District, in the preparation of the Request for Proposals, supply of oral or written information to Proponents, review of Proposals or the carrying out the District's responsibilities under this Request for Proposals, does not owe a duty of care to the Proponents.

Except as expressly and specifically permitted in this RFP, no Proponent shall have any claim for

any compensation of any kind whatsoever as a result of participating in this RFP, and each Proponent, by submitting a Proposal, waives for itself, its successors and assigns, the right to sue the District for any loss, including economic loss, damage, cost or expense arising from or connected with any error, omission or misrepresentation occurring in the preparation of the Request for Proposals, the supply of oral or written information to Proponents, the review of Proposals, or the carrying out the District's responsibilities under this Request for Proposals, with the exception of fraud on the District's part.

## **Not A Tender**

This Request for Proposal is not a tender call, and neither it nor the submission of any response to this RFP creates a tender process or a "Contract A."

## **Modification of Terms**

The District reserves the right to modify the terms of the Request for Proposal at any time at its sole discretion.

## **Use of Request for Proposal**

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

## **Accuracy of Information**

The District of Mackenzie makes no representation or warranty, either express or implied, with respect to the accuracy or completeness of any information contained or referred to in this RFP.

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

## **APPENDIX A**

### **PROPONENT INFORMATION AND AGREEMENT FORM**

(should be completed and returned)

#### **PROPONENT INFORMATION**

Legal Business Name: \_\_\_\_\_

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

Contact Person: \_\_\_\_\_

Contact Information: \_\_\_\_\_  
(phone / cell / fax / email)

#### **PROPONENT AGREEMENT**

*The enclosed proposal is submitted in response to the above-referenced Request for Proposals, including any addenda. Through submission of this proposal, we agree to all of the terms and conditions of the Request for Proposals and agree that any inconsistent provisions in our proposal will be as if not written and do not exist. We have carefully read and examined the Request for Proposals, including the Instructions to Proponents, and have conducted such other investigations as were prudent and reasonable in preparing the proposal. We agree to be bound by statements and representations made in our proposal.*

Signature of Authorized Representative: \_\_\_\_\_

Printed Name of Authorized Representative: \_\_\_\_\_

Title of Authorized Representative: \_\_\_\_\_

Date: \_\_\_\_\_

To acknowledge receipt of each addendum, each addendum number issued should be noted below with a signature of an authorized representative of the organization, as being received.

Addendum No. 1	Signature _____	Date _____
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Addendum No. 2	Signature _____	Date _____
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Addendum No. 3	Signature _____	Date _____
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## APPENDIX B

### BID FORM

#### Proposal Price

The undersigned Bidder has carefully examined the Desired Specifications for the product requested and will provide the product required.

This quotation is valid for: \_\_\_\_\_ days.

Prices shall be in Canadian currency. Goods and Services Tax and Provincial Sales Tax are to be shown separately when providing prices.

Prices are to include all training, duties, charges, fees, permits, etc. related to the supply and delivery of the product to the District's Public Works Yard site.

Price to supply and deliver to site	
GST @5%	
PST @7%	
Provincial Environmental Tax Levy	
<b>TOTAL PROPOSED PRICE:</b>	
F.O.B. District of Mackenzie Public Works Yard, 10 Cicada Rd. Mackenzie, BC	
Delivery Date to Destination: _____	

## APPENDIX C

### Preferred Flowers and Plants Order

		COMPLY	
		YES	NO
Quantity	Item		
60	20" hanging baskets. District will supply self-watering baskets. Flower of Choice = Vista Petunias (pink or other bright colours)		
30	Trees - 50 mm (cm-base) with accompanying base protectors and water bladder systems. Preferred Species = Amur Maple		
600	Red Geraniums		
1100	White Petunias		
500	Purple Petunias		
200	White Geraniums		

Please state alternatives if cannot meet the preferred order requirements:

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