

December 06, 2013

File: 2215.0004.02

Westbank First Nation
301-515 Highway 97 South
Kelowna, BC, V1Z 3J2

Attention: Pat Fosbery, CAO / Director of Operations

**RE: SNEENA ROAD AND OVERPASS HIGHWAY 97
PROJECT NO. 23339-0001
RECOMMENDATION FOR CONTRACT AWARD**

Seven Tenders were received for the above noted project at the Westbank First Nation office by 2:00 pm on Tuesday, December 3, 2013. Dan Brown, WFN Planning and Engineering, presided at the opening on behalf of WFN. The Tender Prices announced at the time of opening are indicated on the attached Tender Opening Record – Unverified Tender Results.

All Tenders were correctly signed, provided the required Bid Surety, acknowledged the three addendums and completed Appendices 2 to 6 of the Form of Tender. All Tenders, in our opinion, are sufficiently complete and correctly prepared and therefore pass the test of compliance.

Review of Tenders Received for Arithmetic Error, Completeness and Compliance

The Schedule of Quantities and Prices from each Tender received was checked for arithmetic errors and completeness. Six of the seven Tenders received contained arithmetic errors. All arithmetic errors were minor and did not alter the Tender position. The following are the revised Tender Price for each Tender received, shown from lowest to highest.

Bidder (Contractor)	Tender Price	Adjusted Tender Price for Tender Evaluation Purpose
EMIL ANDERSON CONSTRUCTION (EAC) INC.	\$9,324,485.94	\$8,858,261.65
BD HALL CONSTRUCTORS CORP.	\$10,027,580.25	\$9,538,580.25
H&M EXCAVATING LTD.	\$9,866,640.05	\$9,742,480.05
CANTEX OKANAGAN CONSTRUCTION LTD.	\$9,878,940.56	\$9,756,249.46
COPCAN CONTRACTING LTD.	\$10,293,400.00	\$10,147,150.00
DAWSON CONSTRUCTION LTD.	\$10,940,195.28	\$10,413,795.28
HOBAN EQUIPMENT LTD.	\$14,332,910.57	\$13,616,265.04

In accordance with the Westbank First Nation Sneena Road Overpass Tendering Policy, the lowest Adjusted Tender Price for Evaluation Purposes was submitted by Emil Anderson Construction (EAC) Ltd. in the amount of \$8,858,261.65. In submitting this Adjusted Tender Price for Evaluation Purposes, Emil

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Anderson Construction (EAC) Ltd. has committed to \$ s21 in WFN Member Employment and \$ s21 in WFN Contractor engagement.

The low Adjusted Tender Price for Evaluation Purposes submitted by Emil Anderson Construction (EAC) Ltd. had a corresponding Tender Price of \$9,324,485.94. Our Engineer's Estimate for the Sneena Road and Overpass Highway 97 project is s17 Therefore, subject to the required letter from BC MOTI approving the award as required by the project agreement, this contract could be awarded.

Recommendation for Contract Award

Based on the foregoing and subject to the required BC MOTI approval, Urban Systems Ltd. recommends award of the Sneena Road and Overpass Highway 97 project to Emil Anderson Construction (EAC) Ltd. in the amount of their Tender Price of \$9,324,485.94.

We trust the foregoing meets with your approval. Please contact the undersigned should you require additional information.

Yours truly,

URBAN SYSTEMS LTD.

A handwritten signature in black ink, appearing to be "Dick Fletcher", with a long horizontal flourish extending to the right.

Dick Fletcher, P.Eng.
Principal

cc: Rampaul Dulay, MOTI

/tb

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TENDER OPENING RECORD UNVERIFIED TENDER RESULTS



Project: Sneena Road and Overpass Highway 97
Tender Closing Date: December 03, 2013
Tender Closing Time: 2:00 PM
Project No: 23339-0001

Bidder	Tender Price	Adjusted Tender Price for Tender Evaluation Purpose
DAWSON CONSTRUCTION LTD.	\$10,940,195.28	\$10,413,795.28
CANTEX OKANAGAN CONSTRUCTION LTD.	\$9,878,940.56	\$9,856,249.46
COPCAN CONTRACTING LTD.	\$10,270,000.00	\$10,123,750.00
BD HALL CONSTRUCTORS CORP.	\$10,025,488.69	\$9,536,488.69
H&M EXCAVATING LTD.	\$9,866,640.05	\$9,742,140.05
EMIL ANDERSON CONSTRUCTION (EAC) INC.	\$9,324,486.94	\$8,860,711.94
HOBAN EQUIPMENT LTD.	\$14,397,910.57	\$13,680,629.00

TENDER SUMMARY

Item#	Description of Work	Unit of Measure	Approx. Quantity	ENGINEER'S ESTIMATE		DAWSON CONSTRUCTION LTD.		CANTEX OKANAGAN CONSTRUCTION LTD.		COPCAN CONTRACTING LTD.		BD HALL CONSTRUCTORS CORP.		H & M EXCAVATING		EMIL ANDERSON CONSTRUCTION		HOBAN EQUIPMENT LTD.	
				Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
			LINE 1:	TENDER PRICE	\$ 17	TENDER PRICE	\$10,940,195.28	TENDER PRICE	\$9,878,940.56	TENDER PRICE	\$10,293,400.00	TENDER PRICE	\$10,027,580.25	TENDER PRICE	\$9,866,640.05	TENDER PRICE	\$9,324,485.94	TENDER PRICE	\$14,332,910.57
Calculation of Adjusted Tender Price:																			
	LINE 2: 50% of Total WFN Member Employment																		
	LINE 3: 30% of Total WFN Contractor Engagement and WFN Supplier																		
	LINE 4: TOTAL VALUE OF EVALUATION CREDITS (Line 2 plus Line 3)																		
	LINE 5: 5% of TENDER PRICE (5% of Line 1)																		
	LINE 6: Enter lesser of Line 4 or Line 5																		
	LINE 7: ADJUSTED TENDER PRICE FOR TENDER EVALUATION PURPOSES (Line 1 minus Line 6)						\$10,413,795.28		\$9,756,249.46		\$10,147,150.00		\$9,538,580.25		\$9,742,480.05		\$8,858,261.65		\$13,616,265.04
	LINE 8: UNVERIFIED Tender Price						\$10,940,195.28		\$9,878,940.56		\$10,270,000.00		\$10,025,488.69		\$9,866,640.05		\$9,324,486.94		\$14,397,910.57
	LINE 9: VERIFIED Tender Price (Line 1)						\$10,940,195.28		\$9,878,940.56		\$10,293,400.00		\$10,027,580.25		\$9,866,640.05		\$9,324,485.94		\$14,332,910.57
	LINE 10: Difference (Line 9 minus Line 8)						\$0.00		\$0.00		\$23,400.00		\$2,091.56		\$0.00		(\$1.00)		(\$65,000.00)
	LINE 11: UNVERIFIED Adjusted Tender Price for Tender Evaluation Purposes						\$10,413,795.28		\$9,856,249.46		\$10,123,750.00		\$9,536,488.69		\$9,742,140.05		\$8,860,711.94		\$13,680,629.00
	LINE 12: VERIFIED Adjusted Tender Price for Tender Evaluation Purposes (Line 7)						\$10,413,795.28		\$9,756,249.46		\$10,147,150.00		\$9,538,580.25		\$9,742,480.05		\$8,858,261.65		\$13,616,265.04
	LINE 13: Difference (Line 12 minus Line 11)						\$0.00		(\$100,000.00)		\$23,400.00		\$2,091.56		\$340.00		(\$2,450.29)		(\$64,363.96)



Community. Leadership. Pride.

December 11, 2013

Via Email: Bswaine@eac.bc.ca
File: 2215.0004.03

Emil Anderson Construction (EAC) Inc.
907 Ethel Street
Kelowna, BC, V1Y 2W1

Attention: Mr. Bill Swaine

**RE: SNEENA ROAD AND OVERPASS HIGHWAY 97
PROJECT 23339-0001**

NOTICE OF AWARD

Pursuant to Conditions of Tender Clause CT20, this letter is to advise that Westbank First Nation has, on December 9, 2013, awarded the Contract for the above project to Emil Anderson Construction (EAC) Inc. in the amount of \$9,324,485.94, as per your tender submission dated December 03, 2013, revised to correct arithmetic errors.

As required by CT20, please submit the Contract Securities, evidence of insurance as required by Schedule 6 of the Contract, and a valid Worker's Compensation Board registration number and status certificate no later than fourteen (14) days from the date of this Award letter to the address below:

Sneena Road and Overpass Highway 97 Project
c/o Urban Systems Ltd., 304-1353 Ellis Street, Kelowna, BC, V1Y 1Z9
Attention: Tim Blackburn, P.Eng., Coordinating Professional Engineer

In order to avoid any delays with the acceptance of the Certificate of Insurance, please be sure to include the Named Insured required by Schedule 6, Clause 2.1 and Clause 9.1 (as clarified in Addendum 2) on the Certificate of Insurance.

Sincerely,

WESTBANK FIRST NATION

Pat Fosbery
Director of Operations/CAO

cc. Dick Fletcher, P.Eng., Urban Systems Ltd.

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DIRECTOR OF OPERATIONS

SUITE 301-515 HIGHWAY 97 SOUTH, KELOWNA BC V1Z 3J2
PHONE: (250) 769-4999 FAX: (250) 769-4377



December 10, 2013

Chief and Council
Westbank First Nation
c/o Dick Fletcher, P. Eng.
Urban Systems Ltd.
Suite 304 - 1353 Ellis Street
Kelowna, BC V1Y 1Z9

VIA E-MAIL

Dear Mr. Fletcher:

RE: Sneena Road and Overpass Highway 97

Subsequent to your correspondence of same date outlining the recommendation to BC Ministry of Transportation and Infrastructure, on which we rely, we confirm in writing that the award of the above noted project to EMIL ANDERSON CONSTRUCTION (EAC) INC. in the tender price amount of \$9,324,485.94 is approved by the Ministry of Transportation and Infrastructure.

Yours truly,

Dirk Nyland, P.Eng.
Chief Engineer

Copy: Julie Mattes, Legal Counsel, Ministry of Justice
Rampaul Dulay, Project Director, Ministry of Transportation & Infrastructure
Frank Dacho, Regional Manager, Engineering, Ministry of Transportation & Infrastructure
Mike Lorimer, Regional Director, Southern Interior, Ministry of Transportation & Infrastructure