



Ministry of Forests BC Timber Sales

Information to Bidders for PL24TGE002 – Summer Tree Planting in the Mackenzie District

Ministry Responsibility

BC Timber Sales (BCTS) manages about 20 percent of the province's allowable annual cut for Crown/public timber, generating economic prosperity for British Columbians through the safe, sustainable development and auction of public timber.

Data from our operations are used to help determine the market value of the timber harvested from public land and ensures British Columbians receive fair value from their timber resources.

BCTS supports government's commitment to true, lasting reconciliation with Indigenous peoples in British Columbia; this includes the implementation of the Declaration on the Rights of Indigenous Peoples Act (Declaration Act) and the Calls to Action of the Truth and Reconciliation Commission (CTA).

In addition to auctioning timber sales licences, BCTS builds and maintains Forest Service Roads and reforests harvested areas. Our activities generate economic prosperity for all British Columbians and directly contribute over \$150 million to rural economies each year.

Background

This section is intended to convey information about hazards in and around the contract area that have been encountered in the layout and assessment phases of contract development. In accordance with common law and Section 119 of the WCB Act, the ministry, as the owner of the workplace, is obligated to identify known safety hazards the contractor will deal with on the area. These are hazards that are in addition to operational hazards normally encountered in the industry which are within the control of the contractor.

To facilitate hazard identification during contract planning that will provide the known hazards to be placed in this Information to Bidders, the following checklists are available:

- BCTS Safety Program Checklist 19-1, for the project site or non-complex access to the project site.
- BCTS Safety Program Checklist 23-1, for access routes to the project site not covered by the 19-1 above.

The successful bidder will be accompanied by BCTS staff in the field on a regular basis to ensure consistency with the accepted planting procedures outlined in the contract, and to ensure that BCTS Mackenzie field team expectations are being met.

The Special Tree Protection Regulation of the Forest Range and Practices Act came into effect on September 11, 2020. See the attached 'Advisory Bulletin No. 2021-09-11: Special Tree Protection Regulation'.

Some blocks may require ATVs for local access. Specifics for each block will be outlined in the Planting Site Prescriptions.

For bidding purposes, all temporary access roads (in block) are to be assumed rehabilitated and bid accordingly. All permanent access that is scheduled for deactivation prior to the plant start will be identified on the planting prescriptions and can be included into the bid process.

Known Field Safety Hazards on this Contract

Ministry staff and contractors, while planning and developing this project, have identified the following known field safety hazards associated with this project. Note this list does not identify routine safety hazards associated with forestry operations:

- Danger trees may occur in the blocks, assessments must be completed prior to planting commencement. Other known safety hazards will be identified on the planting prescription for the unit.

Scope

The proposed contract requires the planting of approximately 1,423,877 summer trees in various locations across the Mackenzie Natural Resource District. The area of the contract is approximately 975.9 ha and will consist of direct planting.

Contract payment is seedling based. Block areas are by estimate only; overflow blocks will be available for contingency purposes. Planting must be completed no later than August 1, 2023.

Summer Stock: The seedlings for this contract could be located at multiple locations throughout the province, along with a small possibility that some may also be in Alberta. It will be the contractor's responsibility to pick up these seedlings from the nursery of where they reside at the time of planting. An invoice can be submitted to the BC Timber Sales Mackenzie office for the costs of delivering these seedlings to the storage location. Contractors must use the specified delivery companies selected by seedling services. If the storage location is a reefer unit, the planting contractor will be responsible for any reefer rental costs including any expenses associated with maintaining the reefer unit.

For any Planting Units that require helicopter access, the contractor will provide the helicopter and incur all helicopter and related costs. Substantial access changes will be considered and negotiated if the change occurred after the Tender Closing date and prior to the Planting start date.

The successful bidder will be required to hire a member of the Association of BC Forest Professionals to oversee portions of the field work and sign and seal certain deliverables of the contract.

The successful bidder will be required to implement and conform to the Prince George Business Area Environmental Management System.

Contractor Safety Program and Prime Contractor Responsibilities

The Successful Bidder will be designated the Prime Contractor for this contract and must bid accordingly and meet the bidder eligibility stated in the Conditions of Tender.

The successful Contractor must plan to maintain and implement a program of systems or processes (a safety program) that will address occupational health and safety concerns and practices that will eliminate or minimize risk of injuries. The Province may ask to examine the safety program and ask for evidence to support the implementation of same as part of the contract administration.

Bidders must be aware of the Safety Conditions Schedule attached to the contract agreement.

How the BCTS Planting Contractor Rating System is Applied to the Tendering Process

This solicitation will use the BCTS Planting Contracting Rating System. NOTE: It is not mandatory to participate in the BCTS Planting Contractor Rating System in order to bid on this solicitation.

How the Rating System Will Be Applied to Participating Contractor Tenders

- For contractors participating in the rating system; a price advantage will be applied to those contractor's tenders as follows:

Example:

- Company A has a rating of 4.5%;
- On a rating applicable solicitation Company A's original tendered price is \$100,000.00;

- Company A's bid will be adjusted by (4.5%) $0.045 \times \$100,000.00 = \$4,500.00$ - this is their price advantage;
- \$4,500.00 is then subtracted from \$100,000.00 to give Company A an adjusted tender price of \$95,500.00;
- If Company A's adjusted tender price ends up being the lowest tendered price, after all bids needing to be adjusted are adjusted, Company A would be awarded the contract;
- Therefore, the lowest unadjusted tendered bid will not necessarily be awarded the contract. Prices submitted will be adjusted according to the Rating System for the purposes of determining the lowest tender only.
- BCTS will award the contract at the original tendered bid value, not the adjusted price. The adjusted tender price is only used to help determine the lowest bidder.
- **Contractors not in the rating system will not have their bids adjusted.**

BCTS reserves the right to not use the Rating System on its planting contract solicitations. As of April 1, 2016, every BCTS planting contract will have a rating system evaluation completed regardless of a contractor's participation in the "pilot". BCTS planting contractors wishing to participate may express their desire to enter the program by contacting Planting.Contractor.Rating@gov.bc.ca prior to July 31 each year for intake the following year.

Posting Unverified Bid Results

BCTS solicitations using the Rating System will post the unverified bid results with the contractors final ranking in the Supplier Location field.

BC Timber Sales 20% Allowance

In order to reduce contract administration in the event planting units are added, deleted or modified, during the contract, 20% of the tendered price will be added to the "not to exceed clause" in the contract. This addition to the contract maximum does not change any tendered unit prices.

BC Timber Sales Continuous Bid Deposit Process

BC Timber Sales has implemented a Continuous Bid Deposit Process for silviculture contracts. For full details on this program please see the guidance document *Updated Continuous Bid Deposit and 48-hour Grace Period Guidance* at our website <https://www2.gov.bc.ca/gov/content/industry/forestry/bc-timber-sales/contracting>. Prospective Bidders can use a Continuous Bid Deposit to allow bidding on multiple silviculture contracts. The Continuous Bid Deposit value will be \$25,000.

The Continuous Bid Deposit Declaration Form included with the tender package is to be submitted with the tender when a Continuous Bid Deposit is used.

Withdrawal of Bid (Capacity):

Contractors are allowed a 48 hour grace period from the time of tender close to assess their capacity. During this time a contractor may withdraw any bid that exceeds the contractor's capacity and this withdrawal must be submitted in writing to the Business Area's Timber Sales Manager.

After 48 hours, the withdrawal of a bid will result in forfeiture of their standard bid deposit or from their continuous bid deposit.

To be eligible to bid after a bid withdrawal, a contractor must provide a rationale to the Timber Sales Manager that identifies how their capacity issues have been resolved.

Forfeiture

For contractors utilizing the Continuous Bid Deposit process, where a contractor withdraws a bid after the 48 hour grace period the forfeiture will be in the following amounts:

- \$5,000 will be forfeited for a contract less than \$250,000;
- \$10,000 will be forfeited for a contract greater than or equal to \$250,000.

Expectation to Comply with Employment Standards Act and Industrial Camp Standards

BC Timber Sales expectations in regards to compliance to the Employment Standards Act and industrial camp standards for work performed under contract to BC Timber Sales are detailed in:

[Advisory Bulletin No. 2011-03-23 - Compliance to the ESA](#)

[Advisory Bulletin No. 2011-03-22 Industrial Camp Standards](#)

Additional Information

Ministry Staff Do Not Direct Operations

Ministry employees (Ministry Representatives) do not direct or supervise the contractor or the contractor's workers. The Ministry will set out the contract standards and required outcomes as well as any changes to contract conditions as work progresses.

Obligation to Report Unsafe Conditions or Practices

The *Workers Compensation Act*, Occupational Health and Safety Regulation 3.10 requires that any person (including ministry staff) report any observed unsafe conditions or practices to the person in charge of the workplace. Ministry staff will do this in the course of their work on the contract area should they come across such conditions or practices.

Contract Pre-Work

The successful Contractor shall be required to have a pre-work meeting with the Ministry Representative to review the contract prior to commencement of the work. Any subjects discussed and decisions made at the pre-work conference shall form an integral part of the Contract.

Payment Policy

Invoices and progress payments are not usually paid before 30 days from the date the Ministry receives the invoice, or the date the Ministry Representative authorizes payment, whichever is the latter. However, every effort is made to pay accounts between 30 to 40 days, maximum 60 days.

The *Financial Administration Act* does not permit interest payments on progress payments, performance security deposits or holdbacks, until the 61st day after the date the money becomes due. The due date is calculated from the date the Ministry receives the invoice or the Ministry authorizes payment/release (whichever is the latter), to the date the Ministry of Finance prints the cheque. Interest rates are set by the Office of the Comptroller General. Interest claims of less than \$5 are not payable.

Direct Deposit

To reduce mail time in the payment process, contractors may be registered with the Provincial Treasury. Payment will then be deposited directly to the contractor's bank account. Contact the finance section of the tendering office for information and/or application for registration. New applications require four to six weeks to process.

Vendor Complaint Review Process

If a problem should occur during this tender call, it should be resolved informally with the Ministry Representative named in the invitation to tender. If the bidder is not satisfied with the outcome at this stage, or they prefer to bypass the informal route, they may engage the formal vendor complaint review process.

Formal complaints concerning a competitive process or a pending or awarded contract, or other procurement process may be submitted by the bidder in writing at any time during the procurement

process and up to thirty (30) business days after they have received notification from the ministry of the outcome of the procurement process.

Complaints in the formal process are submitted on the ministry approved Vendor Complaint Form, which can be found here: <https://www2.gov.bc.ca/gov/content/governments/policies-for-government/core-policy/procedures/vendor-complaints>

Disputes occurring during the performance of the work/service will be governed by the dispute resolution terms and conditions of the Agreement.

Safe Certification Requirement

Bidders must be aware of the safe certification requirements to be eligible to bid, including the Safe Certification Requirements Schedule attached to the contract agreement.

Additional information can be found from the following websites:

<https://www2.gov.bc.ca/gov/content/industry/forestry/bc-timber-sales/safety>
<http://www.bcforestsafe.org/>

Hand Falling Operations

All forestry and non-forestry related activities that include or have the potential to include hand falling, requires the Contractor to designate a Falling Supervisor. Bidders should refer to the Safety Conditions Schedule attached to the Agreement and bid accordingly.

Lobbyist Registration Act

It is the contractor's responsibility to abide by all applicable laws. If the contractor falls within the parameters of the *Lobbyists Registration Act*, then it is the contractor's responsibility to make this determination and register if necessary.

PROJECT

Contract/File: 10005-40/PL24TGE002

Nature of Work or Services: Summer Tree Planting in the Mackenzie District

Located at: Mackenzie Forest District

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| ENSURE YOUR PACKAGE IS COMPLETE. |