

APPENDIX A

SUB-BID DEPOSITORY INSTRUCTIONS

for Article 13(d) and 14(c) – **SUB TRADE Bids to Mechanical and Electrical Trades**
TENTH EDITION CBDO STANDARD RULES & PROCEDURES SHALL APPLY WITH
THE FOLLOWING REVISIONS:

Article 7. PROCEDURES FOR BID CALLING AUTHORITIES

- (f) **Bonding or Security:** this article (as it reads in the Tenth Edition) only applies to a particular SUB-TRADE, when the Bid Depository has formally advised the bidders in the particular SUB-TRADE that it is “in effect” on the project. The CBDO allows a Local Bid Depository to establish that this article be in effect on all project closings handed by it – except those projects on which the Bid Calling Authority has specified otherwise.

Article 9. PROCEDURES FOR PREPARING BIDS

- (c) **Submission of Bids to read: SUB-TRADE bidders** - DO NOT SEPARATE PART ONE BID FORM from PART TWO BID FORM at the cutting line. Complete the form and submit as per DISTRIBUTION directions at *bottom* of the PART TWO BID FORM, (understanding that “Part Two” means “entire Bid Form”) in accordance with the Sub-Bid Depository closing times. Note: SUB-TRADE bidders have the right to advise (on their Bid Form) that “their bid does not apply (or differs by a specified amount) if a particular Prime Contractor (ie. a particular receiver of Trade Bids) is awarded the project”.
- (d) **Specified Separate and/or Alternative prices:** in place of the words “and failure ... 11(g) (ii)”, the end of the first sentence of this article **to read:** “and where a SUB-TRADE bidder fails to provide a particular specified separate or alternative price, his/her price for this item shall be deemed to be the mean (arithmetic average of the) price submitted by all other bidders for this item (including all adds and deducts)”.
- (i) **Bid Withdrawal to read:** To withdraw a bid, a SUB-TRADE Contractor must submit a notice of withdrawal to the Bid Depository and to the appropriate Trade Contractors. This withdrawal must be accompanied by cash or a certified cheque/ money order made payable to the Bid Depository in the amount of one-half of one percent of the bid withdrawn (Minimum of One Hundred Dollars / Maximum of Five Thousand Dollars), no later than three hours prior to the Trade Contractors’ closing time. At the request of a bidder who has withdrawn, the above charge may be refunded only once in any twelve month period. A bidder who withdraws his/her bid is not eligible to re-tender under Article 7 (e).
- (l) **Successful Bidder Fees:** This article does not apply to SUB-TRADE bidders.

Article 10. INADVERTENT OMISSION to read:

SUB-TRADE Contractors who inadvertently omit to submit a bid to a Trade Contractor (providing they are not also a Trade Contractor who has bid only to themselves) shall proceed as follows:

- (a) Send a FAX to the Bid Depository no later than 10 A.M. the day following the SUB-TRADE Contractors’ closing time, worded as follows:
“PLEASE CONSIDER OUR OFFICIAL BID PRICE IN THE AMOUNT OF (\$-----) FOR (NAME OF PROJECT) AS ADDRESSED TO THE BID DEPOSITORY AS BEING SUBMITTED ALSO TO (NAME OF TRADE CONTRACTOR).”
Note: When different bids are bid to different Trade Contractors by the SUB-TRADE contractor, the price used as the inadvertent omission bid must be one of the prices he/she submitted to the Bid Depository, but not lower than the lowest price he/she submitted.
- (b) Confirm to (NAME OF TRADE CONTRACTOR) the price submitted to the Bid Depository.

Article 11. PROCEDURES FOR THE BID DEPOSITORY**(g) Disqualification of Bids to read:**

The Bid Depository will disqualify a bid following review of the Official Bid Forms for any of the following reasons:

- ⇒ “omission of” or “incorrectly executed” Bonds or Security called for in the bidding instructions or specifications. Note: If this situation is discovered by the Bid Depository, it will first be brought to the bidder’s attention by the Bid Depository; following which the bidder will have up to one hour prior to the Trade Contractors’ closing, to correct it. Should the bidder fail to do so, the bid will be disqualified.
- ⇒ the bidder is not on the prequalified list which has been established and verified by the Bid Calling Authority.
- ⇒ omission of lump sum base bid price. If words and figures are used and they do not agree, the words take precedence. (ie only the Bid to the particular Trade Contractor “having this omission” will be disqualified).

⇒ qualifying the bid.

⇒ the bid form is not signed (ie. only the Bid to the particular Trade Contractor” not signed” will be disqualified).

Note: Disqualified bids are not distributed. Any SUB-TRADE contractor disqualified in accordance with the above may lodge a protest in accordance with the same timing, fees, hearing and reinstatement procedures outlined in Article 11 (h) (ii).

(h) Procedures for Alleged Informal Bids:

ii) **Allegation of Informality to read:** The Bid Calling Authority and any SUB-TRADE or Trade Contractor bidding a project may make an allegation of informality against any bid. This may be done by telephone, but must be done at least six hours prior to the Trade Contractors’ closing and confirmed in writing four hours prior to Trade Contractors’ closing time. The SUB-TRADE or Trade Contractor making the allegation shall submit with his written confirmation cash or a certified cheque/money order made payable to the Bid Depository in the amount of five hundred dollars.

iii) **Hearing to read:** The complaint shall be heard by a Judicial Committee (as arranged by the Bid Depository) and is composed of one contractor from the SUB-TRADE concerned, one Trade Contractor and a third party whose firm(s) is not involved in the project in question. A bid shall be declared informal only by the unanimous decision of the Judicial Committee.

iv) **Informal Ruling to read:** When a bid is declared informal, the Bid Depository shall advise the bidder in question, the appropriate Trade Contractors and the Bid Calling Authority of the nature of the informality. This must be done at least three hours before the Trade Contractors’ closing. The five hundred dollar fee shall be returned to the firm who made the allegation, when the allegation of informality is upheld; shall be kept by the Bid Depository when the allegation is not upheld.

Article 12. PROCEDURES FOR CONTRACTORS RECEIVING BIDS

(b) Responsibility:

iii) **One or No Bid Received to read:** Does not apply when there is a pre-qualified list for a trade section and/or a specialty bid is called specifying a base bid and acceptable alternates.

PLEASE NOTE: FOR APPLICATION OF THE TENTH EDITION RULES BY A SUB-TRADE, USE/INTERCHANGE THE WORDS “GIVER OF BIDS” AND “RECEIVER OF BIDS”, WHEREVER THE RULES READ “TRADE CONTRACTOR” AND “PRIME CONTRACTOR”, RESPECTIVELY.