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The Corporation of the Township of Elizabethtown-Kitley

REQUEST FOR PROPOSAL for Rows Corners Park Land Master Plan 2023-RFP-001

Proposals shall be submitted via email (subject line to include 2023-RFP-001) no later than 4:00 pm May 23, 2023 EST. Proposals received after that date and time will not be considered further. Proposals must be in accordance with the requirements stated in this RFP.

All proposals shall be directed to the Contact Persons for this RFP:

CONTACT: Leslie Drynan, Administrator (CAO)
ADDRESSED TO: ldrynan@ektwp.ca

SUBJECT: 2023-RFP-001: Rows Corners Park Land Master Plan

Any questions or clarification regarding this Request for Proposal (RFP) must be communicated via email to the Contact Persons listed above by May 5, 2023.

NOTE: Should any potential bidders download this Request for Proposal, it is the Proponent's responsibility to check for Addenda which will be posted on the Township website: <http://www.ektwp.ca/bids-tenders-contract/>

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1 Request for Proposal – Rows Corners Park Land Master Plan

1.1 Purpose

Through this Request for Proposal (RFP), the Township of Elizabethtown-Kitley is seeking proposals from suitably qualified individuals and/or consulting firms to provide professional services to develop and prepare a detailed options, opportunities, and conceptual Master Plan for Rows Corners Park Land that will allow the Township to guide and strategically manage the planning and decision making for these lands over the next ten (10) years.

Note that this is not a call for tender but a request for proposals to identify a preferred Proponent and to initiate negotiations for the delivery of the required services.

1.2 Background Information

The Township of Elizabethtown-Kitley, located in Eastern Ontario, in the United Counties of Leeds and Grenville is a flourishing rural community with a close by urban setting. Elizabethtown-Kitley is a beautiful, safe and diverse community of 10,000 residents, serving a regional catchment area of 90,000+. Brockville is a 20-minute commute, Ottawa and Kingston are less than an hour's drive, and Toronto and Montreal are but 200 kilometres away.

The business profile of the Township includes a mix of agricultural, manufacturing, industrial businesses, contracting and tourism.

To live in the Township or the Counties, is a captivating experience. Both provide affordable residential real estate, including rural and urban residential and heritage homes, hobby farms and full agricultural operations, village settings, and subdivisions. Relax in our community and enjoy the beautiful St. Lawrence River and lakes, all within a short drive. Every season offers activities, be this recreational, educational or cultural.

Rows Corner Park Land (Fairgrounds) (hereinafter referred to as 'Rows Corners')

History and Usage

Rows Corners is a 30-acre parcel of land located at 3823 County Road 6, as shown on Figure 1, page 7. The lands were purchased by the Township in 1965 for \$7K.

Following assumption of the lands by the former Township of Elizabethtown, Rows Corners quickly developed into a rural community hub for residents and visitors alike, including regular horse racing, horse shows, an active ball diamond with grandstand, an enclosed canteen with washroom facilities and well-kept barn(s). The Township received a bicentennial grant in 1967 which was used to build the washroom / canteen facility. The large grandstand was deemed unsafe for use in July 1996 and was torn down along with some accessory buildings in 1997 due to unsafe conditions.

From 1966 to 1983, a driving club used the facility, which then transitioned to the Elizabethtown Horseman's Club. The Thousand Islands Kennel Club used the facilities for annual dog shows until the mid-1980's.

Over the years, however, the popularity and use of the grounds diminished. Subsequently, many of the features either fell into disrepair or were vandalized - or both.

The washrooms were deemed unusable in 2015 due to large cracks in the floor, and mortar breaking down between the cinder blocks. The canteen was also in need of a great deal of work, however the building succumbed to fire in 2018 and was replaced by a pavilion.

Despite the reduced usage and popularity, Rows Corners has been home to horse shows for several years and recently been re-established as the location of the international Thousand Islands Kennel Club dog show. Over the years, different events including relay-for-life, the model airplane group, car shows etc., have been hosted and the lands are used regularly by individuals walking the track as well as exercising their dogs. The pavilion is also being used more frequently for lunch breaks, reading and small social gatherings.

There is 100-amp service at the pavilion and 100-amp service at the pole south of the track. The power needed to host larger events would require between a minimum 200-amp for sound equipment and 1000-amp service for entire events including food vendors with sound and lightshows. Currently there are no permanent washrooms, however, portable washrooms are brought in spring to fall, and event organizers bring in extra depending on the size of the event(s).

The Township maintains the grounds as far as grass cutting, general building maintenance and weekly garbage collection. User groups are responsible for cleaning up the grounds after each event including cleaning up after the horses. Larger events (TIKO Dog Show and Horse A Rama bring in a dumpster for the weekends as well as additional portable washrooms).

Barricades including a locked gate and ropes have been installed to deter non-authorized motor vehicles from tearing up the track. This has been very helpful in lengthening the times between the track needing grading.

Rows Corners Ad Hoc Committee

The Rows Corners Ad Hoc Committee was established under By-law 11-58, enacted by Council in September 2011. The Terms of Reference included instructions to the Rows Corners Ad Hoc Committee to investigate and report to Council on the following areas:

1. Current use of the Rows Corners Park Land.
2. Potential future use of the Rows Corners Park Land, including possible alternative uses.
3. The Ad Hoc Committee shall:
 - a) Review, consider and make recommendation to Council on matters pertaining to the current and potential uses for the Rows Corners Park Land.
 - b) Engage in consultation with current users with regard to future potential of the lands.
 - c) Communicate with Township departments and other Committees to investigate possible future uses.

- d) Communicate with provincial, federal and private organizations to determine what programs and opportunities could be available for the lands.
- e) Make recommendations to the Township Council pertaining to the potential future use of the Rows Corners Park Land.

Over various meetings, the Committee compiled data/information and met with a variety of local groups who provided information on sports and sporting use, senior housing and housing concepts and mixed-use development (housing and recreation).

In mid-2013, the Committee presented their final report to Council, inclusive of a comprehensive summary of their information gathering and requested that Council consider a budget contribution of \$3K to engage a consultant to prepare a market demand analysis of seniors' affordable housing. Council subsequently denied the request and no further action was taken. The Committee was disbanded.

It is important to note that this Committee's work was done prior to the current Township Official Plan (2018) and the County Official Plan (2016/2017).

Current Zoning, Land Use and Possible Studies Required (if changing use)

Rows Corners property is zoned Open Space, which permits agricultural use, conservation use, a golf course, marine facility, park and one (1) accessory dwelling or unit. The property is designated Rural under the Official Plan and there are significant woodlands delineated in the north quarter of the property.

The Rural designation only permits limited residential development on the basis of one dwelling per lot. Second unit policies are not permitted; however these regulations do not apply in the OS zone. Limited development by severance is permitted, subject to other policies in the Rural designation, but plans of subdivision for residential use are not permitted.

Given the zoning and OP on the property, a proposal for a residential development would necessitate an Official Plan amendment and a rezoning and possibly a plan of subdivision/condominium (of course this would be dependent on the nature of any proposed development).

The property is also located within 120 m of a Natural Heritage-PSW (provincially significant wetlands and woodlands), which would require an EIS (environmental impact assessment/study). The mapping, as it exists today, also indicates that the site is within a distance of 300 m from the Natural Heritage-PSW and Mineral Resources Aggregate designation, requiring an archaeological assessment and a land use compatibility study.

Depending on the desired direction, other possible studies may be required to support a residential development, including a hydrogeological assessment given groundwater site servicing, lot grading/drainage/stormwater management on site, planning rationale study, etc.

The extent/type of studies needed to support a change in use could be better determined if/when a draft was presented.

Housing Accessibility, Affordability and Vulnerable Populations

The housing shortage and affordability crisis in this country is well known and governments on all levels have released plans to bolster the supply. The Ontario government's recently passed More Homes Built Faster Act is a necessary step toward addressing the shortage of housing in the province, however it is not lost on us, that we all have a role to play in taking necessary actions to rectify these issues, not only for our most vulnerable population (low income and seniors) but community wide.

Housing is often cited as an important social determinant of health, recognizing the range of ways in which a lack of housing, or poor-quality housing, can negatively affect health and wellbeing. With the majority of properties in our predominantly rural community having no access to water/sewer services, and travel distance to the closest urban centre, the Township is faced with having to approach the housing crisis with an outside of the box mindset in contributing and developing potential solutions.

Earlier this year, Council received a delegation from a local green technology company advancing an innovative manufacturing process for net-zero, cost-efficient modular housing. This intriguing concept in addition to many other potential creative housing solutions such as low-rise development, coupled with the national housing shortage and the mindset that Rows Corners may not be currently utilized to its full potential enabled the Township, through Council's support to prioritize this project.

With Rows Corners close proximity to the City of Brockville and potential that awaits at this site, whether it be from a recreational or housing perspective, it is an opportune time to consider how to move forward in developing a plan for these lands.

2023 Capital/Operating Initiatives

The approved 2023 Township budget includes funds for the replacement of the interior dilapidated fence that spans the front of the track area, parallel to County Road 6, repairs to the barn, and upgrades to the power service. No action will be taken on any of these initiatives, pending outcome of the Master Plan.

Township Strategic Plan and Federal Housing Funding

In March, Council undertook a Strategic Plan re-fresh for the Township, of which a draft copy will be shared in the coming weeks and although Council has yet to review, identify timing of established priorities and approve the Plan, two priorities which appeared at the top of the list were affordable housing and potentially undertaking a recreation master plan during this term. It is important to note that the Township has an existing Recreation Master Plan, completed in 2009, however may be deemed outdated at this time.

In addition, the group discussed the future of Rows Corners, and opportunities to enhance use, including the possibility of shared recreational opportunities and/or potential development (accessible and affordable housing).

Recently the Federal Government, through CMHC (Canada Mortgage and Housing Corporation) announced the Housing Accelerator Fund, launching in summer 2023, providing incentive funding to local governments to boost housing supply across Canada. More specifically, the Housing Accelerator Fund provides incentive funding to local governments encouraging initiatives aimed at increasing housing supply. It also supports the development of complete, low-carbon and climate-resilient communities that are affordable, inclusive, equitable and diverse.

Based on the timing of the above noted opportunities, and without committing to undertaking a comprehensive Township-wide Recreation Master Plan at this time, Council approved proceeding with developing of this RFP, which will result in a Master Plan for Rows Corners that will guide planning and decision making for these lands over the next ten (10) years. The Plan, inclusive of community engagement, will help the Township manage future development of the lands and offer potential options to enhance its use (eg: recreational, housing, split use partnership, sale of lands, etc.).



Figure 1: Rows Corners Parkland

1.3 Closing Date and Time

Proposals must be submitted prior to or by **4:00 pm May 23, 2023 EST**. All proposals received after the specified closing time will not be considered.

1.4 Primary Contact

Prior to submitting a Proposal, read the entire solicitation, including the Terms and Conditions, all addenda and any other documentation supplied by the Township for information purposes.

Any questions or concerns arising out of this RFP should be addressed to:

CONTACT: Leslie Drynan, Administrator (CAO)
ADDRESSED TO: ldrynan@ektwp.ca
SUBJECT: 2023-RFP-001: Rows Corners Park Land Master Plan

2 Project Requirements

The primary purpose of this project is to develop a cohesive and holistic vision for Rows Corners. The Master Plan will be used as a policy document and in conjunction with the Township's Strategic Plan, will inform future investment and development.

The Township is seeking an innovative approach to development of a Master Plan, inclusive of options and opportunities for these lands as it relates to parks, recreation, leisure, potential partnerships, and attainable housing while at the same time ensuring the priorities and implementation directions are fiscally appropriate for the Township. For the purposes of this project, attainable housing is defined as housing that is affordable to people earning around or below the median after-tax income. According to Statistics Canada, in 2020 the median after-tax income of households in the Township of Elizabethtown-Kitley was \$81,000. Our preliminary vision is that attainable housing would be accessible to any generation, whether it be those entering the market, young families, workforce housing, retirement or seniors.

The Township will look for an approach that has regard for the provision of environmentally sustainable attainable housing, parks and recreation facilities, trails and open space programs and services that will meet the dynamic needs of the Township.

The Master Plan will prioritize demands and opportunities, assess current use(s) of Rows Corners, existing user fees and cost recovery opportunities, and will include consultation with Township staff and respective Committees of Council, if deemed necessary. The Master Plan will provide a framework to manage and sustain these lands in a cost effective, proactive manner, consistent with leading industry standards and best practices, for the next ten years.

While this project's outcomes should be future-focused, given that Rows Corners has been owned by the Township for almost sixty years, there is some historical significance to the Township and its residents. Public involvement in the development of this vision is critical, and the project should include public engagement.

The following is a brief description of the main deliverables of this project. ***The Township, however, would consider alternative approaches and outcomes, where a Proponent feels these would better meet the purpose of the project.***

2.1 Overall Project Objectives

The following provides a general outline of the overall goals and objectives of this project and the Rows Corners Master Plan.

- Undertake an assessment of existing conditions, including identification of the strengths, weaknesses, opportunities, and threats facing these lands as they exist today.

- Create a strategy and plan, inclusive of proposed options and opportunities for these lands that align with Council's priorities and reflect the uniqueness of this property given its close proximity to the City of Brockville. The Township is open to any and all options as it relates to parks, recreation, open space, trails, affordable housing and development opportunities.
- Identify and assess the diverse needs and wishes of the public, business and community partner organizations, visitors and emerging societal trends.
- A public consultation process to actively seek and obtain input from residents, user groups and organizations, staff, Council, and other stakeholders. The process must solicit input without raising unrealistic expectations.
- Identification of the policies, studies, reports needed to support the Master Plan's implementation. In particular, the Township is interested in a review and commentary regarding the recommended best course of action.
- Special consideration for potential recreation services and housing development provided by non-municipal or private interests shall be included and acknowledged. In particular, the Township is interested in a review of its role and relationships with various user groups and external service providers with a goal of better understanding available options.
- Identify areas where sustainable partnerships with neighbouring municipalities, community organizations, cultural and service groups or private business may be initiated, enhanced or reduced for the delivery of programs and services or development of attainable housing and mixed-income initiatives on these lands. The Successful Bidder shall make recommendations concerning preferred service models – specifically identifying where the Township should be the direct service provider and areas where it should act as a facilitator/enabler.
- Identify grant and/or funding opportunities as they relate to proposed options and opportunities.
- Proposals should enhance, reinforce and produce long-lasting environmentally sound development project(s) that create a positive community image and increase access to parks, recreation, nature and affordable housing. Sustainable design elements are encouraged.
- The Township will consider retaining all or a portion of the lands for public-use and may also consider sale of the property as a development incentive.

2.2 Desired Project Outcomes

Through this process, the Township hopes to achieve the following outcomes in their broadest sense:

- Options and opportunities for the highest and best use of the subject lands. Where an Official Plan and/or Zoning By-law Amendment is deemed necessary, the Proponent shall outline the required steps and approximate costs involved in achieving the desired results.
 - A vibrant and creative mixed-use development that enhances the area while respecting the surrounding area.
 - A vibrant and dynamic development that offers partnerships and synergies to surrounding amenities.
 - A development that is planned, designed and able to be built to support accessible transportation that integrates with the Township and City of Brockville.
 - A project that excels as a model for multi-use, design, sustainable and affordable living, accessibility and environmental conservation.
-

3 Submission Instructions

3.1 Closing Time and Date

The deadline for submitting a proposal is **4:00 pm May 23, 2023 EST**. Proposals received after this date and time will not be considered. Proposals must be submitted electronically via email, in PDF format, including all attachments.

All proposals shall be directed to the Contact Persons for this RFP:

CONTACT: Leslie Drynan, Administrator (CAO)
ADDRESSED TO: ldrynan@ektwp.ca
SUBJECT: 2023-RFP-001: Rows Corners Park Land Master Plan

Questions pertaining to this Request for Proposal (RFP) can be communicated **before May 9, 2023** via email to the Contact listed above. Note that all questions received and their answers will be made available to any interested respondents by May 10, 2023.

While not mandatory, please indicate your interest in submitting a proposal to the contact persons listed above. This will be used to ensure that you receive any questions and answers, or updated information during the RFP period.

3.2 Key Dates

The Township will conduct the RFP process according to the following dates. These dates are tentative and subject to change.

Task	Target Date
Issue RFP	April 20, 2023
Final date of receipt of proponents' questions	May 5, 2023
Response to proponents' questions	May 10, 2023
RFP closed	May 23, 2023
Selection of preferred proponent	Approximately 3 weeks after RFP closing

3.3 Site visits

While not mandatory, site visits are encouraged and Township staff will arrange for any interested Proponents. Please contact the Primary Contact listed above to make any arrangements. Any such visits are made at the sole expense of the Proponent and the Township takes no responsibility for any expense incurred by a Proponent.

3.4 Confidentiality and the Freedom of Information and Protection of Privacy Act

The Township is required by law to adhere to the requirements of the Freedom of Information and Protection of Privacy Act, as amended. ***Proponents must explicitly identify any materials they wish to remain confidential in their submission*** by stamping or boldly marking the information as “CONFIDENTIAL”.

Prior to any potential consideration of Proposal(s) at a public Council meeting, the Township will attempt to treat all proprietary and personal information contained in Proposals as confidential, so far as such is reasonably allowable by the provisions of MFIPPA, as amended.

The Township retains sole discretion as to any materials that may or may not be released to the public. It is further understood that the Ontario Information and Privacy Commissioner retains final determination as to any materials that may be released to the public.

3.5 Request to withdraw a proposal submitted

Requests for withdrawal of a Proposal shall be allowed if the request is made prior to the closing date and time. Requests shall be directed to the Primary Contact by email, by an Authorized Agent of the company, with a signed withdrawal request confirming the details. Telephone requests will not be considered. The withdrawal of a Proposal does not disqualify a Proponent from submitting another Proposal on the same RFP.

3.6 Adjustment to a proposal

Adjustments by telephone, fax, email or letter to a submitted Proposal will not be considered. A Proponent desiring to make adjustments to a Proposal shall withdraw the Proposal and/or supersede it with a later Proposal submission prior to the specified Proposal closing date and time.

3.7 Proposal Returned

A Proposal received after the closing time shall be noted and an email will be sent to the Proponent, as soon as possible.

3.8 Submission of more than one proposal

If two (2) or more Proposals are received for the same RFP, the email submission with the latest time and date received shall be considered the intended Proposal.

3.9 Ownership

Once received, all Proposals will become the property of the Township.

4 Content Requirements

4.1 General Requirements

Your Proposal must:

- Include a signed Statement of Acceptance, attached as Schedule A
- Include responses to all requirements noted
- Be no larger than 50 pages in size, per proposal
- Be signed

4.2 Proposal Clarity / Presentation

The Proponent is requested to respond to each and every aspect of the RFP's objectives, expectations, specifications, schedules and requirements to allow for fair evaluation of the Proposal submissions. In order for the Evaluation Committee to conduct a careful evaluation of all Proposals received, Proposals must be clear, well ordered, detailed and concise.

4.3 Project Costs

The Proponent shall provide a firm quotation for the fees to be charged. All fees should be quoted including Harmonized Sales Tax (HST). Include a proposed schedule of billing dates.

Fee schedules should show the estimate of hours broken down by category of staff assigned to the project. One-time fees should be identified separately. Out-of-pocket expenses should be clearly stated to be part of the estimated fee or should be estimated separately.

Additionally, an indication should be provided of how fees for any additional or supplementary services (where identified) would be determined.

4.4 Corporate Profile

Please include a brief profile of your firm indicating the scope of its practice and the range of activities performed by the firm. Clearly identify the Proponent's contact person for this RFP, with phone number and email address.

4.5 Qualification & Experience; References

Please provide a brief description of some of your previous work that is similar to this project, with contactable references.

4.6 Staffing

Provide the names and brief resumes of the partner(s), manager(s) and other key staff who would be assigned to this project.

4.7 Implementation

Proposals must clearly show the firm's understanding of the work to be performed, approach and commitment to perform the work within the time period specified in the schedule. This would include the approach to be used, a proposed schedule and any specific techniques or processes.

4.8 Other Services

Provide a description and typical fees of any other services that may be ancillary or supportive of this project.

5 Evaluation Process

5.1 Evaluation Committee

An Evaluation Committee will evaluate each of the compliant Proposals received in accordance with the evaluation criteria as set out below and score the Proposals using a “consensus” approach, in relation to the criteria and points which are identified herein.

5.2 Presentation

An award may be made solely on the basis of the offer received, without the Township seeking any clarification, meeting or presentation by the Proponent. Therefore, each Proposal should contain the Proponent’s best terms/information, including all required documentation and information as listed in the RFP.

The Township reserves the right, however, to seek Proposal clarification from any Proponent to assist in making evaluations.

5.3 Evaluation Criteria

The following criteria outlines the primary considerations to be used in the evaluation and consequent awarding of this contract (not in any particular order). Evaluation of Proposals will include but not be limited to the following:

- Understanding of engagement
- Implementation approach
- Municipal experience
- Personnel qualifications and experience
- References
- Fee Proposal

The weighting of criterion will be as follows:

Criterion	Weight
Comprehensive Approach	25
Qualifications and Experience	25
Municipal References	10
Proposal Clarity / Presentation	10
Project Costs	30
Total	100

6 Terms and Conditions

6.1 Acceptance

The submission of a Proposal(s) indicates acceptance by the Proponent of the instructions, terms, conditions, and requirements or other information as set out in this RFP. Any variations from this information must be submitted in writing with the completed Proposal.

6.2 Proponent's Minimum Qualifications

The preferred individual and/or firm will have extensive experience in rural municipal planning and design, land use, parks and recreation and development of affordable housing solutions.

Proponents shall demonstrate that they have the resources and capability to provide the services required for this project.

6.3 Municipal Information Waiver

All information contained in this document and any potential subsequent addenda, with respect to operations, qualities, values, description of properties, losses etc., are reasonably and realistically accurate to the best of the Township's knowledge however, accuracy is not guaranteed by the Township.

6.4 Expenses Incurred

Submissions are made at the sole expense of the Proponent and the Township takes no responsibility for any expense incurred by a Proponent in preparing or submitting its proposal.

6.5 Conflict of Interest

Proponents must ensure that they are not in a position that may be perceived as a conflict of interest. Any possible conflict of interest of staff must be disclosed along with any means of mitigation.

6.6 Legal Proceedings with the Township

No Proposal will be accepted from any Proponent which has a claim or has instituted a legal proceeding against the Township or against whom the Township has a claim or instituted a legal proceeding with respect to any previous contract, bid submission or business transactions.

6.7 Rights Reserved

The following are rights reserved by the Township:

- This request does not commit the Township to award a contract for Rows Corners Master Plan.
 - The Township shall not be liable for any expense, loss or damage incurred or suffered by any proponent as a result of a non-award of this Proposal call.
 - The Township reserves the right to ultimately select, in its own best judgment, and at its sole discretion the firm it deems best qualified to carry out this agreement. The Township's determination will be final and not open to review or challenge, whether it is alleged that the selection is arbitrary or otherwise not in accordance with standard trade practice.
 - The Township reserves the right to cancel, terminate or withdraw this Proposal call at any time or to accept or reject all or any part of any Proposal.
 - The Township reserves the right to retain all Proposals submitted and to employ any concepts contained in a Proposal regardless of whether or not that Proposal is selected.
 - The proposal with the lowest cost will not necessarily be accepted.
 - The Township reserves the right to enter into further discussions in order to obtain information that will allow the Township to reach a decision with a Proponent, and to waive irregularities and omissions if, in doing so, the best interest of the Township will be served.
-

7 Contract with Successful Proponent

7.1 Contact Terms and Conditions

The Contract with the Successful Proponent will contain the following Contract Terms and Conditions. Proponents taking exception to these terms and conditions or intending to propose additional or alternative language must:

- Identify the specific terms and conditions to which they take exception or seek to amend or replace; and
- Include any additional or different language with their Proposal.

Failure to both identify with specificity those terms and conditions the Proponent takes exception to or seeks to amend or replace as well as to provide Proponent's additional or alternate Contract terms may result in rejection of the Proposal. While the Township may accept additional or alternate language if provided with the Proposal, the Terms and Conditions marked with an asterisk (*) are mandatory and non-negotiable.

7.2 Contract Term

It is expected that the term of the Contract shall be for a period and scope of the project as described in this Request for Proposal. Should the Township exercise the right to extend this Contract, the Successful Proponent and the Township shall enter into negotiations to determine the new rates for services. Only upon satisfactory negotiations of both parties shall the contract be extended. All rates negotiated for each contract extension shall remain firm for the entire extension.

7.3 Procedures

The Successful Proponent shall not comply with requests and/or orders issued by any individual other than the Primary Contact or his/her authorized representative(s) acting within their authority for the Township. Any change to the Contract must be approved in writing by the Primary Contact and the Successful Proponent.

7.4 WSIB Clearance *

The Proponent certifies that it is in full compliance with the Workplace Safety and Insurance Act.

7.5 Indemnification

The Successful Proponent must agree to keep the Township indemnified against any and all claims, actions or demands that may be brought, made or arise in respect of anything done or omitted to be done by the Successful Proponent or its employees who shall be and remain at all times and for all purposes, the servants or employees of the Successful Proponent, save and except to the extent that such claims, actions or demands arise from or relate to the negligence, wrongful act or omission of the Township, or any of its officers or employees.

7.6 Accessibility for Ontarians with Disability Act (AODA) *

The Proponent will provide the Township with documentation indicating that training in accordance with the requirements of Regulation 429/07 has been provided to all of their staff who will be providing goods and services on behalf of the Township.

7.7 Assignment of Contract *

This Contract may not be assigned in whole or in part without the written consent of the Director of Finance.

7.8 Termination *

The Township reserves the right, without prejudice, to cancel the remaining term of the Contract, by providing 30 days' notice in writing if dissatisfied in any way with performance, or any other elements of the service provided.

7.9 Contractual Disputes *

In the event of a dispute between the Township and the Successful Proponent, both parties agree to appoint representatives, who in good faith, will use their best efforts to resolve the dispute. Should the representatives be unable to promptly resolve the dispute, both parties shall agree to continue the work as required being understood that neither party will jeopardize any claim that they may have.

7.10 Severability *

In the event that any provision shall be judged or decreed to be invalid, such ruling shall not invalidate the entire Agreement but shall pertain only to the provision in question and the remaining provisions shall continue to be valid, binding and in full force and effect

7.11 Non-exclusive

Any Contract awarded as a result of the RFP will be non-exclusive. The Township may, at its sole discretion, purchase the same or similar services from other sources during the term of the Contract.

7.12 Cancellation

Any contract termination by the Successful Proponent will require sixty (60) days' notice to the Township unless otherwise noted and agreed to by the Township.

7.13 Governing Law

Any Contract resulting from this RFP shall be governed by and interpreted in accordance with the laws of the Province of Ontario.

Schedule A: Statement of Acceptance

All responses should be signed.

I/We certify that the information provided in this RFP Response Document is true and complete.

I/We declare that no employee of the Township of Elizabethtown-Kitley is or will become interested, directly or indirectly as a contracting party or otherwise in the supplies, work or business to which it relates or in any portion of the profits thereof, or in any such supplies to be therein or in any of the monies derived there from.

I/We further declare that the undersigned is empowered by the Proponent to negotiate all matters with the partnering Township's representatives, relative to this Proposal.

I/We further declare that the agent listed below is hereby authorized by the Proponent to submit this Proposal and is authorized to negotiate on behalf of the Proponent.

Legal Company Name:	
Companies Address:	
Respondent's Signature:	
Respondent's Printed Name:	
Respondent's Title:	
Email:	
Business Phone:	
Business Fax:	