

Nova Scotia Supplement to the Atlantic Provinces Standard Terms and Conditions

Effective 2013 January 31 or later

NOTE: In the event of any conflict or disagreement between this Supplement and the Atlantic Provinces Standard Terms and Conditions, this Supplement has precedence and will be assumed to be correct. In the event of any conflict or disagreement between this Supplement and the Invitation documents, the Invitation documents have precedence and will be assumed to be correct.

The following sections are to be added to the Atlantic Provinces Standard Terms and Conditions only for those Invitations issued by the Province of Nova Scotia.

2 Methods of Submission

2.4 Electronic Bids

2.4.6.1 Bidders may modify their Bid at any time prior to the closing date and time for Bids;

2.4.6.2 Any Bid that is in the process of being edited at the time of Bid closing will lose all changes from the current editing session; any Bid documents that close with incomplete information or blank fields are subject to rejection. Bids cannot be edited or updated after the Invitation has closed.

2.4.6.3 The e-bidding system referred to in the solicitation documents must be used. Submission by email does not constitute an electronic bid.

3. Obtaining Documents

3.2.1 Solicitation documents are available directly from the Nova Scotia Procurement Web Portal at www.gov.ns.ca/tenders . Some solicitation documents may be downloadable directly from the website

3.2.2 There is no charge for most solicitation documents obtainable from the Nova Scotia Procurement Web Portal, although some documents may require a fee for plans, etc. per the notice on the website. Where charges are applicable for obtaining Invitation documents, payment may be made by cash, cheque, money order, direct debit, Visa or MasterCard.

3.2.3 Registration is not required to use the Nova Scotia Procurement Web Portal.

3.2.4 Nova Scotia solicitation documents may also appear on other websites such as BIDS or MERX; such listings have been obtained unofficially from the Nova Scotia Procurement Web Portal, and the Nova Scotia Procurement Office cannot guarantee their accuracy, timeliness or status. Nova Scotia does not use any Bid agency services.

3.2.5 Downloaded Invitations must be signed, and submitted as per the instructions in the solicitation documents.

3.2.6 Electronic downloading of solicitation documents is provided as a convenience to Bidders; the Nova Scotia Procurement Office will not be held responsible for failures in the communications or software, or for the completeness of the material obtained by this method.

4. Vendor Registration

4.1.1 Proponents are required to be registered to carry on business in accordance with applicable laws. The status of a proponent's business registration does not preclude the **submission** of a proposal in response to this RFP. A proposal can be accepted for evaluation, regardless of (i) whether the company is registered, or (ii) whether its business registration is in good standing. However, a contract cannot be awarded unless the successful proponent is registered and in good standing, in accordance with applicable laws. For information on the business registration requirements of the Nova Scotia Registry of Joint Stock Companies, please consult, <http://www.gov.ns.ca/snsmr/access/business/registry-joint-stock-companies>. If the proponent's business is not required to register in Nova Scotia, the proponent will be required to submit registration from your applicable Provincial jurisdiction.

4.1.2 All Bidders must maintain their tax status in good standing. Verification of tax status with the Department of Finance and/or Canada Customs and Revenue Agency (GST/HST) may be required before an award is made to a successful Bidder.

10. Payment Terms and Discounts

10.1.1 If special payment terms or schedules are required, these must be specified in the Bid; otherwise, the Province's payment terms (net 30 days) will apply.

10.1.2 Early payment discount terms (minimum period 10 days) may be considered in the evaluation of a Bid.

10.1.3 Discount terms must appear on the Bid, and on the invoice.

23. Confidentiality and Freedom of Information

The Province of Nova Scotia is required to comply with the Personal Information International Disclosure Protection Act (S.N.S 2006, c.3). This Act creates obligations for the Province of Nova Scotia and its service providers when personal information is collected, used or disclosed. Requirements include limiting storage, access and disclosure of personal information to Canada, except as necessary or otherwise required by law. For more information on this Act please click here. (http://www.gov.ns.ca/just/IAP/governing_law.asp)

27. Language

27.1.1 Unless specifically requested otherwise, all Bids, supporting materials, operation manuals and documentation must be in English, or both English and French.

28. Eligibility and Conflict of Interest

28.5.1 The Province reserves the right to disqualify any proponent that in the Province's sole opinion has an actual or potential conflict of interest or an unfair advantage in respect of this RFP, whether existing now or is likely to arise in the future, or may permit any such proponent to continue and impose such terms and conditions on that proponent, as the Province in its sole discretion may require.