

May 8, 2020

Mr. Duncan Williams
President & CEO
CONSTRUCTION ASSOCIATION OF NOVA SCOTIA
134 Eileen Stubbs Ave.
Unit 103
Dartmouth, NS B3B 0A9

Dear Mr. Williams:

Re: Electronic Statutory Declarations and Bond Documents

Further to our recent conversations, this is to confirm that, for both bid security and contract security, HRM will accept electronic bonds (e-bonds) from a qualified Surety. Unfortunately, HRM cannot accept scanned bonds. While the Electronic Commerce Act allows for most documents to be signed and delivered electronically, in consultation with the Surety Association of Canada, HRM has determined that scanned bonds have no validity. For contract security, HRM will accept scanned versions of irrevocable letters of credit drawn on a Canadian bank if the original signed LOC is received by HRM within 5 days of the receipt of the scanned version.

Please note, however, that statutory declarations still need to be affirmed or sworn before a lawyer or commissioner of oaths. While this usually needs to be done in person, there are measures in place during the COVID-19 pandemic to allow lawyers and commissioners to witness the contractor's signature via video conference. The contractor must retain the original document for future reference. Regarding bonds, Province has provided guidance on the measures it is taking to facilitate e-bidding and the electronic submission of supporting tender/contract documents (including bonds) during the COVID-19 situation. HRM has agreed that it is positioned to follow suit.

HRM will be implementing a new standard process soon, but we will only accept electronic surety issued by a recognized surety firm qualified to issue bonding in the Province of Nova Scotia. All bonds regardless of extension are required to be in the amounts detailed in the bid documents.

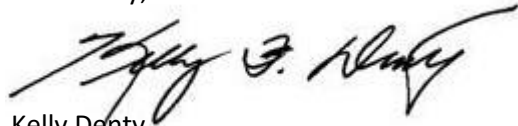
Please contact me if you have questions or would like to discuss in more detail. Should you have questions specific to HRM Procurement, Jane Pryor would be pleased to address any further questions or concerns (pryorj@halifax.ca).

Mr. Duncan Williams

May 7, 2020

Page 2

Yours truly,

A handwritten signature in black ink, appearing to read "Kelly Denty". The signature is fluid and cursive, with a large initial "K" and "D".

Kelly Denty

Director

Planning and Development

Halifax Regional Municipality

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c: HRM Legal Services

HRM Procurement