



Report to: General Committee

Date Report Authored: September 6, 2016

SUBJECT: Delegation of Authority to Chief Administrative Officer during the 2016 annual summer recess as per By-law 4-2000

PREPARED BY: Alex Moore Ext 4711

RECOMMENDATION:

- 1) THAT the report entitled "Delegation of Authority to Chief Administrative Officer during the annual 2016 summer recess as per By-law 4-2000" be received

And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

To inform Council of items authorized by the Chief Administrative Officer during the annual Council summer break between the last meeting in June or July and the next regular Council meeting as per By-law 4-2000.

ATTACHMENT "A":

Delegation under By-law 4-2000 authorizes the Chief Administrative Officer to award any required contracts greater than \$350,000 for the annual Council summer break between the last meeting in June or July, as the case may be, and the next regular Council meeting which are in compliance with the City's Purchasing By-law and which are within budget as approved by Council;

The CAO authorized the following:

Community & Fire Services - "A"

Award Details	Description
Highest Ranked/Lowest Priced Supplier	<ul style="list-style-type: none">049-R-16: Sanitary Sewer System Rehabilitation and Upgrade Program 2016 - Contract "C" Sanitary Lateral Repairs & CIPP Lining (REPORT ATTACHED)

Development Services - "A"

Highest Ranked/ Second Lowest Priced Supplier	<ul style="list-style-type: none">117-R-16: Consulting Engineering Services for Whistling Cessation – Kennedy Road (South) to Major Mackenzie Drive – Detailed Design (REPORT ATTACHED)
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ATTACHMENT "B":

Delegation under By-law 4-2000 authorizes the Chief Administrative Officer to call public meetings, grant site approval, grant draft plan approvals and extensions to draft plan approvals, initiate special advertising and be authorized to act on any general administrative issues that may be necessary in the absence of Council during the summer recess.

The CAO authorized the following:

Development Services - "B"

	<ul style="list-style-type: none">Public Meeting - 2431988 Ontario Ltd. DRAFT Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment applications for proposed mixed use multi-storey condominium apartment buildings and stacked townhouses on the north side of Highway 7, west of Bur Oak Avenue (September 20th meeting date)Public Meeting - City Park (Town Crier) Homes Inc. Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment application for 12 single detached dwellings at 7 Town Crier Lane.Public Meeting - 8 Main Street North, Main & Markham Investments Inc. (Zoning By-law Amendment to allow retail use).Prepare a Heritage Easement Agreement and Authorize City Officials to Execute the Agreement, 9721 Kennedy Road, Kalexia Developments Corp.Delegation of Authority to CAO to grant draft plan approval. Livante Holdings, 2271850 Ontario Ltd., and Vetmar Ltd., on the lands known municipally as 10978, 10988, 11030 Victoria Square Boulevard (formerly Woodbine Avenue
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RECOMMENDED BY:

X 

Joel Lustig
Treasurer

X 

Trinela Cane
Commissioner, Corporate Services

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To:	Andy Taylor, Chief Administrative Officer
Re:	049-R-16: Sanitary Sewer System Rehabilitation and Upgrade Program 2016 – Contract “C” Sanitary Lateral Repairs & CIPP Lining
Date:	August 12, 2016
Prepared by:	David Huynh, Senior Infrastructure Project Engineer, ext. 2400 Tony Casale, Senior Construction Buyer, ext. 3190

PURPOSE

To obtain approval to award the contract for Sanitary Lateral Repairs & CIPP Lining (Contract ‘C’).

RECOMMENDATION

Recommended Supplier	Liqui-Force Services (Ontario) Inc. (Highest Ranked/Lowest Priced Supplier)	
Current Budget Available	\$ 66,000.00	053-6150-16237-005 Sewer System Upgrade Program
	\$ 358,870.00	Lateral preparation/CIPP lining
	\$ 12,746.10	Contingency @ 3%
	\$ 437,616.10	Total Budget Available
Less Cost of Award	\$ 436,550.40	Lateral preparation/CIPP lining
	\$ 13,096.51	Contingency @ 3%
	\$ 449,646.91	Total Cost of Award (Inclusive of HST)
Budget Remaining after Award	(\$ 12,030.81)	*

* The shortfall will be funded from the Waterworks Capital Contingency account.

Staff recommends awarding the contract in accordance with By-Law 4-2000 which reads:

“.. that the Chief Administrative Officer be authorized to award any required contracts greater than \$350,000 for the annual Council summer break between the last meeting in June or July, as the case may be, and the next regular Council meeting which are in compliance with the City’s Purchasing By-law and which are within budget as approved by Council”

BACKGROUND

The sanitary sewer system upgrade project is a preventive and rehabilitative project which is implemented annually to maintain the sanitary collection system in good service condition and reduces risk and liabilities due to poor maintenance.

This project addresses defects in sanitary sewer manholes, sewer pipes and sanitary laterals. It addresses structural and service condition defects such as sewer pipe cracks and fractures, infiltration and defects on sanitary laterals. Repairs are conducted through sewer manhole access points, using Cast-In-Placed-Pipe (CIPP) lining method. Repairs are completed without excavation, reducing traffic disturbance, service interruption and negative impacts on the environment.

In order to attract more competitive Suppliers from the sewer rehabilitation market, this year’s project was subdivided into three (3) contracts as outlined below:

- Contract A: Sanitary Sewer Spot Repairs and CIPP Lining (**Awarded in May 2016**)
- Contract B: Sanitary Sewer Testing & Grouting (**Awarded in May 2016**)
- Contract C: Sanitary Sewer Lateral Repairs and CIPP Lining, including reaming, cleaning and CCTV inspection; (**Recommended for Award under this report**)

BACKGROUND (Continued)

In May 2016, Staff recommended and obtained Council approval to award Contracts 'A' and 'B' only as work was expected to begin in June 2016, and be completed by December 2016. Pricing received for Contract 'C' was much higher than the estimated budget and staff advised that they would review the specifications, scopes and estimates for this contract, and would obtain the necessary approvals once next steps were determined.

BID INFORMATION

Advertised	ETN
Bids closed on	April 21, 2016
Number picking up bid documents	16*
Number responding to bid	2

* Staff contacted Suppliers that picked up the Bid document but did not submit a Bid, three Suppliers advised they were too busy and one Supplier no longer carries out the specified work.

PROPOSAL EVALUATION

The Evaluation Team was comprised of staff from the Environmental Services Department, and facilitated by staff from the Purchasing Department. The Bids were evaluated separately for Contracts 'A', 'B' and 'C' as outlined in the Bid document. The evaluations were based on pre-established evaluation criteria as outlined in the Request for Proposal: 15% qualifications and experience of the company, 20% qualifications and experience of the Contractor's key personnel and equipment (including Sub-Contractor's), 35% proposed methodology, materials, schedule, QA/QC and work plan, and 30% price, totalling 100%.

Contract 'C' Sanitary Lateral Repairs and CIPP Lining

Suppliers	Total Score (100 points)
Liqui-Force Services (Ontario) Inc. ("LiquiForce")	90.00
D.M. Robichaud Associates Ltd. ("D.M. Robichaud")	88.39

Award Options- Contracts 'C'

The City received two Bids for Contract 'C' and both exceeded the City's budget and estimates as outlined below:

Works Component	LiquiForce Bid Price (HST Included)	D.M. Robichaud Bid Price (HST Included)	City's Budget (HST Included)	Variance (\$) LiquiForce
Lateral reaming/cleaning/CCTV*	\$161,798.40	\$114,480.00	\$ 66,000.00	(\$ 95,798.40)
Lateral preparation/CIPP lining	\$436,550.40	\$515,984.26	\$358,870.00	(\$ 77,680.40)
Sub-total Contract 'C':	\$598,348.80	\$630,464.26	\$424,870.00	(\$173,478.80)
Contingency 3%:	\$ 17,950.46	\$ 18,913.93	\$ 12,746.10	(\$ 5,204.36)
Total Contract 'C'	\$616,299.26	\$649,378.18	\$437,616.10	(\$178,683.16)

The pricing received for Contract 'C' is 40.83% greater than the City's budget which was based on the City's historical database of unit prices from 2013, 2014 and 2015. Staff reviewed the specifications and estimates with the two Suppliers and also conducted several conference calls and request-for-clarification emails to both Suppliers.

PROPOSAL EVALUATION (Continued)

Staff received the following feedback regarding their pricing:

- For the lateral reaming, cleaning and CCTV Inspection, LiquiForce advised that their price was higher compared to budget by 145% based on their past experience carrying out this work in Markham, where they had to deal with heavy calcite removal;
- For lateral preparation and CIPP lining, LiquiForce's overall price for one (1) lateral per section \$8,395/lateral, compared to City's estimated at \$6,901/lateral. LiquiForce's price is 22% higher than estimated;
- LiquiForce also advised that the City only repairs defective laterals whereby only one lateral needs to be fixed per sewer manhole-to-manhole section, which significantly reduces productivity and increases price. According to LiquiForce, repairs of 3 to 5 laterals per manhole-to-manhole section would significantly improve productivity and thus reduce the unit price per lateral;
- D.M. Robichaud advised that they misinterpreted the requirements of the scope of work. For lateral preparation and CIPP lining, D.M. Robichaud's overall price is \$9,923/lateral.

Following receipt of feedback from the suppliers, staff reviewed the following options:

- OPTION 1-** Seek additional funding and award Contract 'C' to the highest ranked/ lowest priced Supplier. Awarding the whole contract would require an additional \$178,683.16 and due to concern with the significant price increase compared to previous contracts, this is **not recommended**.
- OPTION 2-** Cancel the current Bid for Contract 'C' and re-tender with a revised scope. Cancelling the Bid and retendering will not guarantee better pricing, and work will not be completed on schedule by the end of the year. This option is **not recommended**.
- OPTION 3-** Reduce the 2016 scope of work and award the Contract 'C' to the highest ranked/ lowest priced Supplier. (**Recommended**). Contract 'C' comprises two independent components as follows:
1. Lateral reaming/cleaning/CCTV inspection; and,
 2. Lateral preparation/ CIPP lining;

Staff are recommending to defer the component #1 (Lateral reaming/cleaning/CCTV inspection), and Waterworks staff believes the risk from deferring this component can be managed until 2017. However, component # 2 (Lateral preparation/CIPP lining) has greater risks and liabilities due to the concern of defective lateral collapse. The lateral preparation/CIPP lining is structural repairs of laterals with a high risk of collapse and sewerage backup, due to its age and/or structural defective condition. Staff do not recommend deferring this scope of work.

For the 2017 contract, Staff will issue tender early in Q4 of this year, and issue a multi-year contract. Also, Staff will consider hourly rate for cleaning/reaming of heavy calcite, and pricing items for single- and multi-lateral lining per manhole-to-manhole section.

Staff recommend utilizing the budget for Lateral reaming/cleaning/CCTV to offset the budget shortfall. Compared to previous contractual pricing, the Lateral preparation/CIPP lining pricing is 22% higher.

PROPOSAL EVALUATION (Continued)

The following chart provides the budget breakdown for Option 3 (Reduce the scope of work by deferring the lateral reaming/cleaning/CCTV to 2017):

	LiquiForce Bid Price (HST Included)	City's Budget (HST Included)	
Lateral reaming/ cleaning/ CCTV	Deferred	\$66,000.00	\$66,000.00
Lateral preparation/CIPP lining	\$436,550.40	\$358,870.00	(\$ 77,680.40)
Sub-total Contract 'C':	\$436,550.40	\$424,870.00	(\$11,680.40)
Contingency 3%:	\$ 13,096.51	\$ 12,746.10	(\$ 350.41)
TOTAL Contract 'C'	\$449,646.91	\$437,616.10	(\$12,030.81)

**STAFF AWARD REPORT****Page 1 of 2**

To:	Andy Taylor, Chief Administrative Officer
Re:	117-R-16: Consulting Engineering Services for Whistling Cessation – Kennedy Road (South) to Major Mackenzie Drive – Detailed Design
Date:	June 28, 2016
Prepared by:	Alice Lam, Manager, Infrastructure & Capital Projects, ext. 2354 Tony Casale, Senior Construction Buyer, ext. 3190

PURPOSE

To obtain approval to award the contract for consulting services for whistling cessation at Kennedy Road (South) to Major Mackenzie Drive – detailed design.

RECOMMENDATION

Recommended Supplier	MMM Group Limited (Highest Ranked/Second Lowest Priced Supplier)	
Current Budget Available	\$ 570,000.00	083-5350-16053-005 Anti-Whistling - Stouffville
Less cost of award	\$ 442,894.02	(Inclusive of HST)
	\$ 16,434.24	Provisional Items (Incl. of HST)*
	<u>\$ 45,932.82</u>	Contingency @ 10%
	\$ 505,261.08	
	<u>\$ 63,473.50</u>	Internal Management Fee
	\$ 568,734.58	Total Cost of Award (Incl. of HST)
Budget Remaining after award	\$ 1,265.42	**

* The Bid included provisional items which may or may not be required during the detailed design stage. The provisional items include two public information workshops with notifications, two utility test pits and construction liaison based on an estimated twenty hours.

** The remaining budget will be returned to the original funding source.

Staff recommends awarding the contract in accordance with By-Law 4-2000 which reads:

“.. that the Chief Administrative Officer be authorized to award any required contracts greater than \$350,000 for the annual Council summer break between the last meeting in June or July, as the case may be, and the next regular Council meeting which are in compliance with the City’s Purchasing By-law and which are within budget as approved by Council;”

BACKGROUND

On September 28, 2015, Council passed a resolution to determine the safety measures required in order to implement train whistle cessation along the Uxbridge Subdivision through the urban section of the City. On January 25, 2016, Council approved to upfront the full cost of the detailed design for all 13 crossings and enter into agreement with Metrolinx and York Region for cost recovery.

City Staff are currently working with Metrolinx and York Region on a cost sharing agreement. The agreement has not been signed; however all parties agreed in principle with respect to the proposed improvement works and cost sharing estimate. A meeting with all parties is scheduled on July 29 to discuss project details and next steps.

BACKGROUND (Continued)

The City issued a Request for Proposal to retain a consulting firm to proceed with detailed design for the Kennedy Road (South) to Major Mackenzie Drive section, including minor roadway design with safety device, pedestrian gates and the associated electrical control at the crossings.

The scope includes detailed design and contract administration services for whistling cessation at the following 13 Metrolinx railway crossing locations:

1. Kennedy Road (South)
2. Denison Street
3. Highway 7
4. Eureka Street
5. Main Street Unionville
6. Kennedy Road (North)
7. McCowan Road
8. Snider Drive
9. Main Street Markham
10. 16th Avenue
11. Bur Oak Avenue
12. Castlemore Avenue
13. Major Mackenzie Drive

It is anticipated that the study will commence upon award and be completed in June 2017.

BID INFORMATION

Advertised	ETN
Bids closed on	May 19, 2016
Number picking up bid documents	9
Number responding to bid	2*

*Purchasing staff contacted suppliers that picked up the Bid document but did not submit; three suppliers advised that they had resource limitations, one supplier advised that they did not have sufficient experience for the assignment and another supplier advised that they did not bid due to the size of the assignment.

PROPOSAL EVALUATION

The evaluation team was comprised of staff from the Engineering Department with Purchasing staff acting as the facilitator. The evaluation was based on pre-established evaluation criteria as outlined in the Request for Proposal: 20% qualifications and experience of the consulting firm, 20% qualifications and experience of the project manager, lead designer and team, 30% project methodology, understanding, schedule and work plan and 30% price, totaling 100%, with the resulting scores as follows:

Suppliers	Total Score (100 points)
MMM Group Limited	91.7
Stantec Consulting Ltd.	74.5

Note: Bid prices ranged from to \$376,423 to \$442,894 (inclusive of HST).

Staff is recommending the highest ranked /second lowest priced supplier (MMM Group Limited) be awarded the contract as their proposal satisfactorily demonstrated their experience and capability to undertake projects of similar size and scope. They have a good understanding of the project related requirements, provided satisfactory methodology and a good work plan.