



Report to: General Committee

Date Report Authored: September 4, 2013

SUBJECT: Delegation of Authority to Chief Administrative Officer during the 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 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 By-law which are in compliance with the City's Purchasing By-law and which are within budget as approved by Council;

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.

ATTACHMENT "A":

Community & Fire Services:

Award Details	Description
Sole Bidder	<ul style="list-style-type: none">066-T-13 Old Wellington Street Watermain Replacement between Markham Road and Wignall Crescent

Development Services:

Award Details	Description
Lowest Priced Supplier	<ul style="list-style-type: none">057-T-13 Reconstruction of Helen Avenue (Kennedy Road to Greenberg Gate)

ATTACHMENT "B":

Development Services:

Public Meeting	<ul style="list-style-type: none">Plan B Homes Inc. & 2381423 Ontario Inc. (ZA,SU 13 127915 – 6827 & 6805 14th Ave) CAO authorized supplementary Public Meeting for the revised Zoning Amendment and Draft Plan of Subdivision to add the adjoining lands at 6805 14th Avenue to the original lands at 6827 14th Avenue for the purpose of creating 15 residential building lots on the south side of 14th Avenue, east of 9th Line.
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RECOMMENDED BY:

19/09/2013

19/09/2013

X

Joel Lustig
Treasurer

X

Trinela Cane
Commissioner, Corporate Services

SUBJECT: Award of Tender # 066-T-13 Old Wellington Street Watermain Replacement between Markham Road and Wignall Crescent

PREPARED BY: Paul Li, Senior Infrastructure Project Engineer, Ext. 2646
Michelle Zhu, Senior Buyer/Analyst, Ext. 2025

RECOMMENDATION:

- 1) THAT the report entitled “Award of Tender # 066-T-13 Old Wellington Street Watermain Replacement between Markham Road and Wignall Crescent” be received;
- 2) AND THAT the contract for the Old Wellington Street Watermain Replacement be awarded to the sole bidder, FDM Contracting Co. Ltd., in the total amount of \$ 449,463.75 inclusive of HST impact and provisional items;
- 3) AND THAT a contingency in the amount of \$ 44,946.37 (10%), inclusive of HST impact, be established to cover any additional construction costs, and that authorization to approve expenditures of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy;
- 4) AND THAT the existing purchasing order #PD 12087 with Schaeffers & Associates Ltd. to provide consulting services, including design, contract administration and inspection be increased by \$30,222.72, inclusive of HST impact (from \$42,301.63 to \$72,524.35) to provide additional services for the project scope changes as discussed in the OPTIONS/DISCUSSION Section below.
- 5) AND THAT the award and purchase order increase be funded from the Capital Account 053-6150-12328-005 “Watermain Construction and Replacement Program”;
- 6) AND THAT the funding shortfall in the amount of \$321,164.62 be funded from the Waterworks Stabilization/Capital Reserve;
- 7) AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report, and reason for the special Council meeting, is

- a) to obtain approval on the funding shortfall in the amount of \$321,164.62 from the Waterworks Stabilization/Capital Reserve, and;
- b) to authorize the work to commence by end of July due to the urgency to complete the construction within the restricted time period between July 1 and September 15, 2013 as permitted by TRCA and MNR.

BACKGROUND:

Old Wellington Street watermain is one of two feeds for the area south of Highway 7 between McCowan Road and Markham Road. On February 22, 2011, a main break occurred on Old Wellington Street watermain crossing Robinson Creek which flows under Old Wellington Street through an existing culvert (refer to Attachment No. 1 – Project Location Map). Due to the depth and environmental concerns, the repair could not be immediately performed, as such, a section of the Old Wellington Street watermain was isolated and taken out of service.

The Old Wellington watermain from the east and Highway 7/McCowan Road watermain from the west are the two feeder mains supplying water to an area consisting of 657 residential and commercial properties bounded by

Highway 7 to the north, Milne Dam Conservation Park to the south, McCowan Road to the west and Markham Road to the east as shown on Attachment No. 2.

Normally, two main feeds are necessary to maintain local distribution system flow capacity and system redundancy within the supply area. With the Old Wellington watermain at the east end taken out of service, the supply area now relies on the feed from the west at Highway 7/McCowan Road.

After a prolonged assessment on options of remediation, it was determined that the best alternative is to replace the watermain under the creek. On February 14, 2012, Council approved “the inclusion of the watermain replacement on Old Wellington Street between Markham Road (Main Street South) and Wignall Crescent in the amount of \$250,000 to be funded from the Waterworks Stabilization/Capital reserve; the scope and cost for the Waterworks capital project #12328 “Watermain Construction & Replacement Program”. At the time of approval, the length of the watermain construction was based on 100 metres.

OPTIONS/ DISCUSSION:

Through a competitive procurement process, Schaeffers & Associates Ltd. was retained by the City on April 10, 2012 for project design, contract administration and inspection in the amount of \$46,531.79, inclusive of HST impact.

Several design options were identified and evaluated by the consultant including:

- Option 1: New connection from Highway 7/Markham Road (refer to Attachment No. 3). This option will have impacts on existing Highway 7 businesses and traffic during construction and additional costs for a new connection with the Markham Road watermain. Therefore it was not recommended for further consideration.
- Option 2: Routing flows from adjacent higher pressure zone north of the supply area (refer to Attachment No. 4). This option will not provide the necessary east west link with the main on Markham Road, have adverse impacts on the local mains within the supply area and create new dead ends. Therefore it was not recommended for further consideration.
- Option 3: Replacing watermain creek crossing above the existing culvert (refer to Attachment No. 5). This option requires construction of an earth berm at the crossing, which will have structural impact on the existing culvert. Placing fill in flood regulatory area may not be acceptable to the Toronto & Region Conservation Authority (TRCA) and Ministry of Natural Resources (MNR). Therefore it was not recommended for further consideration.
- Option 4: Replacing watermain creek crossing below the existing culvert (refer to Attachment No. 6).

It was concluded that Option 4 to be the preferred option which can meet the system supply requirements with the least impact on the existing infrastructure and environment.

During the design stage and in consultation with the TRCA and MNR, Staff were advised that Robinson Creek is a habitat of provincial designated fish species at risk. As such, a trenchless technology (i.e. horizontal directional drilling) with minimal impact on Robinson Creek was selected for the creek crossing construction to meet the TRCA and MNR requirements. The trenchless technology construction recommended necessitated increase in length of the watermain to be replaced from 100 metres to 200 metres to satisfy the constructability requirements as well as the need to replace seven (7) water service connections on houses fronting Old Wellington Street. The consultant had estimated the cost of construction would total \$370,000, including HST impact.

In July 2012, project design was completed followed by construction permit submissions to the TRCA and MNR respectively. Further requirements (erosion mitigation plan, groundwater contingency plan and frac-out emergency response plan) by TRCA and MNR further delayed issuance of construction permits, which was received in April 2013. The construction permit stipulates that construction needs to be completed within a restricted window between July 1 and September 15, 2013.

Staff released a Request for Tender (RFT) for the Old Wellington Street Watermain Replacement on May 16 2013, which closed on June 6, 2013.

One bid was received from FDM Contracting Co, Ltd. with a total bid price of \$449,463.75, including HST impact (\$412,982.79 for all work as specified in the design and \$36,480.96 for provisional items not included in the design and only required if dictated by site specific condition).

Bid Information:

Advertised, place and date	ETN
Bids closed on	June 6, 2013
Number of Bidders picking up bid documents	9
Number of Bidders responding to bid	1

Detailed Pricing Information:

Bidders	Total Price, incl. HST impact
FDM Contracting Co. Ltd.	\$449,463.75*

*includes provisional items in the amount of \$36,480.96.

Staff followed up with suppliers who picked up the bid documents, from the six (6) responses, four (4) suppliers did not have sufficient time to complete the submission due to various reasons, two (2) suppliers could not provide the required directional drilling. One supplier, being Earth Boring, is the sub-contractor to FDM Contracting Co. Ltd.

The bids have been verified for accuracy and compliance with the Request for Tender terms and conditions. Purchasing has reviewed the references of the bidder, FDM Contracting Co. Ltd. and is satisfied with the references provided. Staff is recommending the award of this watermain replacement contract to FDM Contracting Co. Ltd. as their bid satisfied the project requirements.

Risks of not proceeding with the project this summer:

- With the Old Wellington watermain at the east end taken out of service, the supply area now relies only on the feed from the west at Highway 7/McCowan Road.
- Further delay in replacing the Old Wellington Street watermain place the supply area at higher risk of inadequate fire & domestic supply should a main break occurs on the Highway 7/McCowan Road feed with records of several main breaks on that section of main before.
- Permits for construction granted by the TRCA and MNR with restricted window of construction from July 1 to September 15 will expire in mid-September 2013 and we will need to reapply for 2014.
- New permit submission & application costs and potential additional consulting fees if more conditions added by MNR and TRCA.

Staff reviewed the risks associated with cancelling the project this year as discussed above and recommend awarding the contract immediately.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

Staff request that the existing purchasing order #PD 12087 with Schaeffers & Associates Ltd. to provide consulting services, including design, contract administration and inspection be increased by \$30,222.72 and that the contract for the Old Wellington Street Watermain Replacement will be awarded to FDM Contracting Co. Ltd. in the amount of \$449,463.74 inclusive of HST plus contingency of \$44,946.37.

The following table is a summary of the financial considerations for this report:

Original Budget from Account #053-6150-12328-005	\$250,000.00	Amount set aside for Old Wellington watermain replacement
Less Amount Committed or Spent	\$46,531.79	(Engineering Fees)
Less Additional Engineering Fees due to Project Scope Change	\$30,222.72	Increase to PD12087 (Schaeffers & Associates)
Current Budget Available for Project Construction	\$173,245.49	
Less Construction Cost	\$449,463.74	Award to FDM Contracting Co. Ltd.
Less Construction Contingency (10%)	\$44,946.37	
Total Award Cost	\$494,410.11	
Budget Shortfall	(\$321,164.62)	*(including HST impact)

* The budget shortfall of \$321,164.62 will be funded from the Waterworks Stabilization/Capital Reserve.

HUMAN RESOURCES CONSIDERATIONS:

Not Applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not Applicable.

BUSINESS UNITS CONSULTED AND AFFECTED:

Purchasing Department and Finance Department have been consulted, provided input and reviewed this report.

STAFF AWARD REPORT

To:	Andy Taylor, Chief Administrative Officer
Re:	057-T-13 Reconstruction of Helen Avenue (Kennedy Road to Greenberg Gate)
Date:	August 23, 2013
Prepared by:	Marija Ilic, Senior Capital Works Engineer. Ext: 2136 Robert Slater, Senior Construction Buyer. Ext: 3189

PURPOSE:

The purpose of this report is to obtain approval to award a construction contract for the Reconstruction of Helen Avenue, from Kennedy Road to Greenberg Gate. Works include urbanization of the remaining section of existing road, by installing curbs, sidewalk and storm water system.

RECOMMENDATION:

Recommended Supplier	Trisan Construction (Lowest Priced Bidder)	
Original Budget and Account #	\$ 676,100.00	083-5350-13023-005 Helen Avenue Reconstruction
Current Budget Available	\$ 628,884.09	
Less cost of award	\$ 540,562.76 \$ 24,035.71 <u>\$ 56,459.85</u> \$ 621,058.32	Bid Price Provisional Items* 10% Contingency Total Cost of Award (Inclusive of HST)
	<u>\$ 55,895.25</u> \$ 676,953.57	Internal Department Management fee (9%) Total Project Cost
Budget Remaining after this award	\$ (48,069.48)	**

* The provisional items are for additional sub-excavate and disposal within the roadway and trenches, verification of existing utilities in pavement areas and non-pavement areas (if required) and unshrinkable backfill. Provisional items are at the sole discretion of the City and require prior written approval. In the event that some or all of the provisional items are not utilized or deleted from the contract, the Contractor is not entitled to any compensation.

**The shortfall in the amount of \$48,069.48 to be funded temporarily from the Corporate Contingency Operating Account, to be replenished by the Engineering Capital Contingency Account (i.e. ASDC 42A-1 Reserve) once it is approved by Council in the Fall of 2013.

Staff further recommends that in accordance with By-Law 4-2000:

“...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:

Helen Avenue is an existing two lane roadway, mostly built to an urban cross section. Currently, approximately 220 m of the road remains rural with ditches and no sidewalk. The rural section is located approximately 130 m east of Kennedy Road to Greenberg Gate and will be urbanized by installing curbs and a storm sewer system. A sidewalk will also be built in the north boulevard to provide a safe pedestrian connection for existing residents to Kennedy Road, as well as to provide consistency with the existing urban Helen Avenue cross section. Residents within the South Unionville Community have been requesting that the remaining sidewalk on Helen Avenue be constructed.

Additional work to be done under this contract includes:

- Installation of tree protection fence and sediment and erosion controls (fence and sediment trap)
- Removal of existing road and culverts
- Reconstructing road pavement

- Installation of catch basins at curb and within boulevards
- Filling in and re-grading of boulevard ditches
- Re-grading existing driveways in private lands
- Minor re-grading of private lands
- Install LED luminaires

Permission to enter for works on private properties has been obtained from the owners where work will take place on private lands.

BID INFORMATION:

Advertised	ETN
Bids Closed on	August 7, 2013
Number picking up bid documents	13
Number responding to bid	4

PRICE SUMMARY (INCLUSIVE OF HST):

Contractor	Bid Price	Provisional Price	Total
Trisan Construction	\$540,562.12	\$24,035.71	\$564,597.83
Sam Rabito Construction	\$653,912.30	\$37,386.62	\$691,298.92
Pennorth Group	\$652,542.82	\$40,852.47	\$693,395.29
Aloia Bros Concrete	\$643,817.97	\$61,076.35	\$704,894.32

FINANCIAL CONSIDERATIONS:

Based on the open bid prices, associated contingencies (including provisional items) and capital administration fees, there is a shortfall of \$48,069.48 for the project. This shortfall is due to approximately \$40K for hydro pole relocation; the work/requirement for this was not anticipated back in 2012 when the budget for the project was prepared. Also, the provisional items in the amount of \$24,035.71 were not part of the cost estimate provided by the consultant.

Staff recommends this shortfall be funded temporarily from the Corporate Contingency Operating Account and be recovered from the Engineering Contingency Account, (i.e. ASDC 42A-1 Reserve) scheduled to go to Council in the fall of 2013.

ENVIRONMENTAL CONSIDERATIONS:

The Toronto and Region Conservation Authority (TRCA) was consulted during the detailed design stage of this project and a permit has been granted by TRCA to undertake the proposed work within the Rouge River Watershed.

SCHEDULE:

The anticipated completion date for the construction is 4 – 6 weeks after issuance of a Purchase Order.