

Report to Council

Report Title: Tenders for Lang Municipal Drain 2018
Prepared By: Fiona Hamilton, Clerk
Department: Clerk
Date: November 5, 2018
Report Number: CLK2018-14 **File Number:** C11CL, E09LA
Attachments: Purchasing and Procurement Policy, Instructions to Tenderers

Recommendation:

That the Council of the Municipality of Brockton hereby receive Report Number CLK2018-14 Tenders for Lang Municipal Drain 2018, prepared by Fiona Hamilton, Clerk, for information purposes.

Report:

Background:

The Municipality of Brockton received a petition for a municipal drain on May 17, 2016. Greg Nancekivell from Dietrich Engineering Limited was appointed as the Engineer for the municipal drain on June 6, 2016. The meeting to consider the Engineer's Report was held on July 23, 2018 and the Court of Revision was held on August 27, 2018. The Municipality of Brockton has not received any notice of appeals relating to the Lang Municipal Drain 2018.

The Municipality of Brockton's Purchasing and Procurement Policy requires that any expenditures over \$25,000.00 require sealed tenders. Tenders were received on September 19, 2018 at noon at the Municipal Office at 100 Scott Street, Walkerton as per the Instructions to Tenderers document prepared by the Engineer that has been attached. The Tenders were opened publicly in the presence of Terry Tuck, Chief Building Official, Fiona Hamilton, Clerk and Greg Nancekivell. The Engineer's Report estimated the total cost of construction would be \$221,217.00 before H.S.T.

The details of the two tenders that were received are summarized below:

Marquardt Farm Drainage Ltd.

Total Construction Cost before HST: \$250,024.00

Time Period: beginning June 15, 2019 and ending July 31, 2019.

A.G. Hayter Contracting Ltd.

Total Construction Cost before HST: \$290,032.75

Time Period: beginning June 1, 2019 and ending September 30, 2019.

Both A.G. Hayter Contracting Ltd. and Marquardt Farm Drainage Ltd. provided certified cheques for the deposit funds in compliance with the Instructions to Tenderers. No time period for completion was specified in the original Instructions to Tenderers. The instructions to Tenderers also contained a provision stating “Lowest or any Tender not necessarily accepted”.

Analysis:

Both tenders exceeded the estimated Construction Costs in the Engineer’s Report by a significant margin. The time period proposed by both tenderers would result in one of the affected landowners losing an entire year’s worth of crops.

The options available to Council are to accept one or the other of the tenders that were received in accordance with the Purchasing and Procurement Policy, or to reject both tenders and invite new tenders.

Greg Nancekivell will be in attendance to speak to this matter.

Sustainability Checklist:

What aspect of the Brockton Sustainable Strategic Plan does the content/recommendations in this report help advance?

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| • Do the recommendations help move the Municipality closer to its Vision? | N/A |
| • Do the recommendations contribute to achieving Cultural Vibrancy? | N/A |
| • Do the recommendations contribute to achieving Economic Prosperity? | Yes |
| • Do the recommendations contribute to Environmental Integrity? | Yes |
| • Do the recommendations contribute to the Social Equity? | Yes |

Financial Impacts/Source of Funding:

- Do the recommendations represent a sound financial investment from a sustainability perspective? Yes

Respectfully Submitted by:

Fiona Hamilton, Clerk

Reviewed By:

Chief Administrative Officer