

The Corporation of the Municipality of Brockton



By-Law 2019-101

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Being a By-Law to Accept a Tender from Owen King Limited for the Rehabilitation of the Corner of Durham Street Sidewalk for the Municipality of Brockton.

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**Whereas** the Council for the Corporation of the Municipality of Brockton Council deems it expedient to accept a proposal from Owen King Limited for the rehabilitation of the corner of Durham Street Sidewalk for the Municipality of Brockton;

**Now Therefore** the Council of the Corporation of the Municipality of Brockton enacts as follows;

- 1.0 That the Council of the Corporation of the Municipality of Brockton hereby accepts the Proposal of Owen King Limited in the amount of \$216,713.52 for the rehabilitation of the corner of Durham Street Sidewalk as described in the attached Schedule "A" to this By-Law.
- 2.0 That the Mayor and Clerk are hereby authorized to sign on behalf of the Council for The Corporation of the Municipality of Brockton, any contracts and other documents required to authorize such purchase to proceed, and to affix the corporate seal of the Municipality of Brockton.
- 3.0 This By-Law shall come into full force and effect upon final passage.
- 4.0 This By-Law may be cited as the "Durham Street Sidewalk Tender Acceptance By-Law".

**Read, Enacted, Signed and Sealed this 10th day of September, 2019.**

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Mayor – Chris Peabody

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Clerk – Fiona Hamilton

FORM OF TENDER

MUNICIPALITY OF BROCKTON  
REMOVE AND REPLACE SIDEWALK - DURHAM ST. WALKERTON  
CONTRACT NO. 19190

Tender by OWEN KING LIMITED  
GENERAL CONTRACTORS  
residing at BOX 104 R.R. #2  
87 BRANT SIDEROAD 15  
WALKERTON, ONTARIO  
N0G 2V0

a company duly incorporated under the laws of Ontario

and having its head office at WALKERTON

hereinafter called the "Bidder"

To -- Municipality of Brockton

I/We \_\_\_\_\_

having carefully examined the locality and site of the proposed works and all tender documents relating thereto, including the Form of Agreement, Special Provisions, Contract Drawings, Information to Bidders, Standard Specifications, Standard Drawings, Form of Tender, Supplemental General Conditions, General Conditions and Addendum/Addenda Numbers 0 to 1 \* inclusive, hereby tender and offer in accordance therewith to enter into a contract within the prescribed time, to construct the said work in strict accordance with the contract documents and such further detail drawings as may be supplied from time to time, and to furnish all labour, materials, tools, plant, matters and things necessary therefore, complete and ready for use within the time specified for the sum, including HST, of

TWO HUNDRED AND SIXTEEN THOUSAND SEVEN HUNDRED AND THIRTEEN 52/100 DOLLARS (\$216713.52)

or such other sum as is determined from the actual measured quantities at the unit prices set forth in the Tender.

\* The bidder will insert here the number of the Addenda received during the tendering period and taken into account when preparing the Tender.

## SCHEDULE OF ITEMS AND PRICES

Item	Spec. #	Description	Qty./Unit	Price	Amount
<b><u>SIDEWALK - DURHAM STREET - WALKERTON</u></b>					
1	510, SP	Remove concrete sidewalk	14.5 m <sup>2</sup>	\$ <u>97.<sup>00</sup></u>	\$ <u>1406.<sup>50</sup></u>
2	510, SP	Remove brick pavers	926.0 m <sup>2</sup>	\$ <u>12.<sup>00</sup></u>	\$ <u>11 112.<sup>00</sup></u>
3	510, SP	Remove concrete curb and gutter	3.5 m	\$ <u>97.<sup>00</sup></u>	\$ <u>339.<sup>50</sup></u>
4	351, SP	Place 150mm thick coloured concrete sidewalk	915.0 m <sup>2</sup>	\$ <u>129.<sup>60</sup></u>	\$ <u>118 584.<sup>00</sup></u>
5	351, SP	Place 150mm thick concrete curb-faced sidewalk	12.7 m <sup>2</sup>	\$ <u>129.<sup>60</sup></u>	\$ <u>1645.<sup>92</sup></u>
6	351, SP	Place 150mm thick coloured concrete curb-faced sidewalk	12.6 m <sup>2</sup>	\$ <u>139.<sup>60</sup></u>	\$ <u>1758.<sup>96</sup></u>
7	SP	Place custom sidewalk signs in new concrete sidewalk	12 Ea.	\$ <u>249.<sup>00</sup></u>	\$ <u>2988.<sup>00</sup></u>
8	351, SP	Supply and install 0.6m. X 0.6m. detectable tactile warning plates full width at each pedestrian crosswalk	88 Ea.	\$ <u>197.<sup>00</sup></u>	\$ <u>17336.<sup>00</sup></u>
9	SP	Adjust existing water valves as required	5 Ea.	\$ <u>276.<sup>00</sup></u>	\$ <u>1380.<sup>00</sup></u>
10	SP	Asphalt restoration	4.0 m <sup>2</sup>	\$ <u>506.<sup>00</sup></u>	\$ <u>2024.<sup>00</sup></u>
11	706, SP	Traffic control and pedestrian safety	1 L.S.		\$ <u>27645.<sup>00</sup></u>
12	SP	Contingency Allowance	1 L.S.		\$ 5,000.00
<b><u>PROVISIONAL ITEMS</u></b>					
13	351, SP 314	Supply and place imported granular material to ensure proper depth of granular below concrete sidewalk including the excavation and disposal of material	5.0 m <sup>3</sup>	\$ <u>94.<sup>00</sup></u>	\$ <u>470.<sup>00</sup></u>

Item Spec. #	Description	Qty./Unit	Price	Amount
	Sub-Total			\$ <u>191781.88</u>
	13% HST			\$ <u>24931.64</u>
	<b>TOTAL TENDER</b>			\$ <u>216713.52</u>

DATED AT WALKERTON this 22 day of AUGUST, 2019.

**OWEN KING LIMITED**

Paul L. La  
Signature of Witness

PER R. King  
Signature of Bidder

**NOTE:**

If the tender is submitted by or on behalf of an incorporated company, it must be signed in the name of such company by the duly authorized officers and the seal of the corporation must be affixed. If the tender is submitted by or on behalf of an individual or a partnership, a seal must be affixed opposite the signature of the individual or the partner.



## SURETY'S CONSENT

Date: August 13, 2019

Bond No: WS8026096-17

WHEREAS OWEN KING LIMITED (Principal) has submitted a written tender to MUNICIPALITY OF BROCKTON (Obligee) dated 22ND day of AUGUST, 2019

Concerning: REMOVE AND REPLACE SIDEWALK, DURHAM STREET, WALKERTON – DURHAM STREET TOWN OF WALKERTON, COUNTY OF BRUCE - CONTRACT NO: 19190

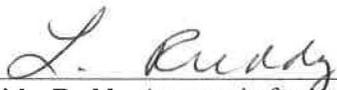
and the condition of this obligation being such that the Principal shall have the tender accepted within SIXTY (60) days from the closing date of tender,

we, THE GUARANTEE COMPANY OF NORTH AMERICA, a corporation created and existing under the laws of Canada and duly authorized to transact the business of Suretyship in the Province of ONTARIO as Surety, agree to issue for the Principal if the Principal shall enter into a written contract with the Obligee, the following bond(s):

1. a contract performance bond of (100%) of the contract price not exceeding the maximum sum of:  
**ONE HUNDRED PERCENT OF THE AMOUNT OF TENDER**
2. a labor and material payment bond for (50%) of the contract price not exceeding the maximum sum of:  
**FIFTY PERCENT OF THE AMOUNT OF TENDER**

This consent shall be null and void unless an application for the said bond(s) is made within thirty (30) days following the award of the contract.

### THE GUARANTEE COMPANY OF NORTH AMERICA

  
\_\_\_\_\_  
Leisha Ruddy, Attorney-in-fact.

dm

Endorsed by – CCDC 220  
(Jan. 2003 – Bid Bond & Surety Consent – Standard )

CCDC 220 – 2002 has been approved by The Surety Association of Canada

Excellence, Expertise, Experience ... Every time

The Guarantee Company of North America  
954 Dundas Street East  
Woodstock, ON N4S 7Z9  
Tel 519-539-9868 • Fax 519-539-5524 • 1-800-265-4262  
gna.com

**MUNICIPALITY OF BROCKTON  
REMOVE AND REPLACE SIDEWALK  
DURHAM STREET WALKERTON  
CONTRACT NO. 19190**

**ADDENDUM NO. 1**

Plan takers shall note the following:

- (1) Interstar concrete pigment, Level 1 Smoke is an approved equivalent to the Bomanite dark grey pigment.

**B. M. ROSS AND ASSOCIATES LIMITED**  
 Engineers and Planners  
 62 North Street  
 Goderich, ON N7A 2T4  
 Phone: (519) 524-2641  
 Fax: (519) 524-4403  
[www.bmross.net](http://www.bmross.net)

August 20, 2019

**OWEN KING LIMITED**

PER ROKing  
 Contractor's Signature

2019 08 21  
 Date

***Faxed to all plan takers 1 page + addenda receipt  
 (Bidders shall sign and date all addenda and attach copies to the submitted Tender)***

## TENDER OPENING SUMMARY FORM

OWNER	Municipality of Brockton	CONTRACT NO.	19190
PROJECT DESCRIPTION	Remove and Replace Sidewalk Durham St. Walkerton	CLOSING DATE	11:00:59 a.m., Thursday, August 22, 2019
No. ADDENDA	1	PRE-TENDER PRICE ESTIMATE (Incl. HST)	

PLAN TAKERS* <small>*(As recorded by BMROSS subsequent to an order for plans and specifications)</small>	# of Addenda Confirmed by fax <sup>3</sup>	TENDERED AMOUNT	Acceptable bid deposit as specified in the IBs <sup>4</sup> <b>\$5,000.00</b>			AGREEMENT TO BOND	SIGNING	NO. OF ADDENDA	TIME OF COMPLETION <sup>1</sup>	BIDDER'S POSITION
			Submitted with Tender	Returned to Contractor <sup>2</sup>	Retained by Municipality					
Owen King Limited Walkerton, ON	1	\$ 216,713 <sup>52</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
Autoform Contracting London, ON		\$								
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- <sup>1</sup> Time of Completion, if not specified in the Contract Documentation, in weeks from date of contract award
- <sup>2</sup> Contractor to initial Tender Opening Summary sheet upon return of tender deposit – identification to be confirmed
- <sup>3</sup> Addenda may be attached to the contract when it is sent out - not required to confirm by fax.
- <sup>4</sup> If the tender deposit submitted was not what was specified, this inconsistency should be brought to the attention of the Owner
- <sup>5</sup> Once the bidder's position has been determined, this form must be faxed back to the Goderich office of BMROSS at (519) 524-4403 or, if the contract originated in the Mount Forest office, fax to both Goderich and Mount Forest (519) 323-3551
- <sup>6</sup> Copies of low bids to be made upon completion of the tender opening

5 and 6 do not reference anything in particular.