



The Corporation of the Town of Tecumseh

Public Works & Environmental Services

To: Mayor and Members of Council

From: Phil Bartnik, Director Public Works & Environmental Services

Date to Council: September 24, 2019

Report Number: PWES-2019-38

Subject: Lesperance Road Bike Lanes from McNorton Street to Riverside Drive
Tender Award

Recommendations

It is recommended:

That the quotation from Provincial Road Markings Inc. in the amount of \$112,870.80 plus non-rebateable HST, for the line painting revisions for Lesperance Road from McNorton Street to Riverside Drive **be approved**;

And that the Mayor and Clerk **be authorized** to execute an agreement, satisfactory in form to the Town Solicitor, with Provincial Road Markings Inc.

Background

At the Public Council Meeting (PCM) held February 12, 2019, Council authorized Administration to proceed with the work to incorporate bike lanes on Lesperance Road from McNorton Street to Riverside Drive (Motion: PCM-08/19).

The dedicated bike lane pavement markings project was initially approved by Council at the June 27, 2017 Regular Meeting of Council under Public Works and Environmental Services Report (PWES) No.32/17. Council further approved that funding for the total \$110,000 be part of the 2018 PWES Capital Works Plan (Motion: RCM-225/17).

Comments

A tender call was advertised on the Town's website on July 3, 2019 with direct notification to the Windsor Construction Association. The deadline for tender submissions was July 25, 2019

giving prospective tenderers approximately three weeks to prepare and submit a bid for the work.

While five plan takers downloaded a copy of the tender from the Town's website, the Town did not receive any bids. Administration reached out to all plan takers to encourage a tender submission when the tender is re-advertised.

Administration advertised the tender a second time on August 25, 2019. Again, no bids were received on the closing date of September 5, 2019.

Administration contacted the prospective contractors and enquired as to why they chose not to respond to the tender call. The majority of companies stated that the construction season is busy and could not coordinate the project within their schedules, along with economies of scale due to the size of the project.

The timing of project completion is critical due to funding received from the Ontario Municipal Commuter Cycling (OMCC) Program and the County Wide Active Transportation System (CWATS) Municipal Partnership Project Fund. **In order to be eligible for these funds, the project must be completed by the end of 2019.**

Administration contacted a number of local municipalities for recommended contractors that they retained for their respective line painting services. Two contractors were recommended for this line of work - K.D.N. Pavement Markings Ltd. (KDN) and Provincial Road Markings Inc. (Provincial).

Following direct notification, both companies submitted a bid to the Purchasing Officer on September 17, 2019 for the Lesperance Road Bike Lanes project.

The Town of Tecumseh Purchasing Policy Section 3.11(iii) states that:

- iii. an attempt to purchase the required goods and services has been made in good faith using a method other than Direct Negotiation under 3.2 through 3.7 of this policy which has failed to identify a successful supplier and it is not reasonable or desirable that a further attempt to purchase the goods and services be made using a method other than Direct Negotiation.

KDN submitted a quotation of \$62,709.25 (excluding HST) for the line painting revisions to Lesperance Road. Following a review of their submission, the quotation was found to be incomplete and did not include a traffic control plan. Provincial submitted a quote of \$112,870.80, and following a review of their submission, the quotation was found to be complete with no mathematical errors.

The Town's Purchasing By-law Section 3.3 states:

- In circumstances where there may be more than one source of supply in the open market, but only one of these is recommended by the Department Director, with the concurrence of the Purchasing Officer, for the consideration on the grounds that it is more cost effective or beneficial to the Town; and where the expenditure will exceed \$100,000, approval must be obtained from the Town Council prior to negotiations

with the single source. The Department Director shall be responsible for submitting a report detailing the rationale supporting the use of the single source.

Based on the limited number of contractors available to do this work, the two previous attempts to close an RFQ, and given the time constraints to complete this project respecting funding opportunities, Administration recommends that the quotation from Provincial Road Markings Inc. in the amount of \$112,870.80, plus non-rebateable HST, for the Lesperance Road Bike Lanes from McNorton Street to Riverside Drive, be approved and that the Mayor and Clerk be authorized to execute an agreement, satisfactory in form to the Town Solicitor, with Provincial Road Markings Inc.

Consultations

Financial Services
Dillon Consulting Limited

Financial Implications

Council approved an allocation of \$110,000 for the Lesperance Road Bike Lanes as part of the 2018 PWES Capital Works Plan. The tender submission from Provincial totaled \$ 112,871; once the grant recoveries have been applied, the Town's final costs are as follows.

The project cost summary is provided in the table below.

Item	Amount
Quotation submission from Provincial	\$ 112,871
Engineering & Incidentals	\$ 20,000
Non-rebateable HST (1.76%)	\$ 2,339
Project Sub-Total	\$ 135,210
Less OMCC Program (80%)	\$ 108,168
Less CWATS Municipal Partnership Project Fund (50%)	\$ 13,521
Town's Total Costs	\$ 13,521

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input checked="" type="checkbox"/>	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input checked="" type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
<input checked="" type="checkbox"/>	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
<input type="checkbox"/>	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable ☒

Website ☐ Social Media ☐ News Release ☐ Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Cheryl Curran, BES
Clerk I Administrative Clerk

Reviewed by:

Kirby McArdle, P.Eng.
Manager Roads & Fleet

Reviewed by:

Phil Bartnik, P.Eng.
Director Public Works & Environmental Services

Reviewed by:

Tom Kitsos, CPA, CMA, BComm
Director Financial Services & Chief Financial Officer

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
None	None