



## The Corporation of the Town of Tecumseh

Public Works & Engineering Services

**To:** Mayor and Members of Council

**From:** Phil Bartnik, Director Public Works & Engineering Services

**Date to Council:** April 26, 2022

**Report Number:** PWES-2022-23

**Subject:** Tar and Chip Tender Award 2022

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### Recommendations

It is recommended:

**That** the sole tender from Shepley Road Maintenance Ltd. in the amount of \$209,690 plus HST for the 2022 Tar and Chip Tender, **be approved;**

**And that** the Mayor and Clerk **be authorized** to enter into contract for the services with Shepley Road Maintenance Ltd.

### Background

At the January 25, 2022 Regular Meeting of Council, Council approved recommendations of Report No. PWES-2022-03 titled "Approval of 2022 Public Works & Engineering Services, 2022 Capital Works Projects" that authorized Administration to proceed with the 2022 capital works projects including the 2022 Tar and Chip Program (Motion: RCM-23/22).

The Town's Purchasing By-law 2021-60 and accompanying Purchasing Policy require Town Council approval for contracts in certain circumstances, as is detailed in the Comments section of this report.

## Comments

A tender call was advertised on the Town's website on March 31, 2022 along with posting on the Town's bids and tenders account. One tender submission was received on April 14, 2022.

The Town of Tecumseh Purchasing Policy Section 4.5(b) & (c): Only One Bid Received, indicates that:

b) "In the event that only one bid is received in response to a request for tender, the bid may be opened and evaluated in accordance with the Town's usual procedures when, in the opinion of the Department Director and Purchasing Officer, the bid should be considered by the Town. If, after evaluation by the Department Director and Purchasing Officer, the bid is found not to be acceptable, they may follow the procedures set out in the Subsections 4.4 a) to d).

c) In the event that the bid received is found acceptable, it will be awarded as an irregular result under Schedule "A" of the Purchasing By-law."

With reference to the Town's Purchasing Policy section 4.5 (b), a decision was made to open the sole tender as, in the opinion of the Department Director, via delegation to Manager Public Works and Transportation, it was not reasonably expected that additional tenders would be received if this project was re-tendered. The Town's experience over the past several years has shown that there are very few tar and chip contractors available to bid on this type of work. The Purchasing Officer concurred with the option to open the single tender.

Furthermore, Shepley Road Maintenance has been awarded the Tar and Chip Tender by the Town of Tecumseh over the past ten years, every year since 2012, and the work has historically been completed in a professional and timely manner.

<b>Contractor</b>	<b>Tender (excluding HST)</b>
Shepley Road Maintenance	\$209,690

Administration reviewed the tender and found that it was acceptable, i.e. no mathematical errors, etc.

With reference to the Town's Purchasing Policy Section 4.5 (c), Schedule "A" of the Purchasing By-law requires Town Council approval for 'irregular results' where the dollar value of the contract is greater than \$100,000.

Based on the limited number of contractors available to do this work, past good experience with the sole contractor who did bid on this project and the nature of this type of work with respect to estimated quantity of material, Administration recommends that the sole tender from Shepley Road Maintenance Ltd. in the amount of \$209,690

plus HST, for the 2022 Tar and Chip Tender, be approved and that the Town enter into a contract for the services with Shepley Road Maintenance Ltd.

## Consultations

Financial Services

## Financial Implications

Council approved an allocation of \$100,000 for Tar and Chip and \$100,000 for Crack Sealing as recommended with Report No. PWES-2022-03. The tender as received is within an acceptable range of the approved allocation.

<b>Item</b>	<b>Amount</b>
Tar and Chip Tender Cost	\$209,690
Non-rebated HST (1.76%)	\$3,691
Total	\$213,381
Approved allocation per Report No. PWES-2022-03	\$200,000
Allocations surplus (deficit)	(\$13,381)

It should be noted that the tender is based on estimated quantities. The tender also includes a provisional item for additional aggregate stone at a cost of \$7,000. If this item is not required, the deficit of \$6,381 will be more in line with the approved allocation. The final actual costs will be determined based on actual quantities required. Every effort to complete the works within the approved budget allocation will be made.

Based on the above noted, Administration recommends that the tender of \$209,690 plus HST as provided by Shepley Road Maintenance Ltd. be accepted.

## 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 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:

Dana Reid  
Public Works & Engineering Services Assistant

Reviewed by:

Kirby McArdle, P.Eng.  
Manager Public Works & Transportation

Reviewed by:

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

Reviewed by:

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

Recommended by:

Brian Hillman, MA, MCIP, RPP  
Director Development Services & Acting Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
None	None