



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: July 25, 2023

Report Number: PWES-2023-53

Subject: Gouin Drain – Tender Award

Recommendations

It is recommended:

That the tender for the Gouin Drain in the amount of \$393,120 excluding HST **be awarded** to Mark G. Contracting Inc.;

And that By-law 2023-084 **be given** first, second, third and final reading, to authorize the Mayor and Clerk to execute an agreement, satisfactory in form to the Town's solicitor, with Mark G. Contracting Inc.

Background

On February 14, 2023, Council considered report [PWES-2023-05](#) for the repair and improvement of the Gouin Drain (Drain) under the Drainage Report by Mark Hernandez, P.Eng., of Dillon Consulting Ltd. (Dillon) dated January 20, 2023, and provisionally adopted By-Law 2023-022 (Motion PCM-13/23). Council gave the third and final reading on April 11, 2023.

This project consists of cleaning out accumulated silt and debris and replacing existing bridges and enclosures. The Town received approval from the Essex Region Conservation Authority (ERCA) on February 14, 2023.

Comments

A Tender call was advertised on the Town's website along with being posted on the Town's bids and tenders account on June 8, 2023. Four (4) tender submissions were received on June 29, 2023, and were virtually opened in the presence of the Town's Purchasing Officer.

Dillon has reviewed the tenders and provided a summary report which is included as Attachment 1. The tender results are summarized as follows:

Tenderer	Total Tender Price (excluding HST)
Mark G. Contracting Inc.	\$393,120
Nevan Construction Inc.	\$674,000
Murray Mill Excavating & Trucking (Sarnia) Ltd.	\$674,101
Rudak Excavating Inc.	\$737,100

As part of their review, Dillon checked each of the submissions for mathematical errors or bid irregularities and discovered a minor mathematical error within the tender received by Murray Mills Excavating & Trucking (Sarnia) Ltd., however, it did not affect the standing.

All Tenderers submitted their required Bid Bond and acknowledged receipt of Addendum No. 1.

The Engineer's construction estimate for this project was \$426,000. The lowest tender of \$393,120 is below the Engineer's construction estimate.

Based on their low tender submission and subsequent discussions, Administration, in consultation with Dillon, recommends that Council award the tender for the Gouin Drain in the amount of \$393,120 excluding HST to Mark G. Contracting Inc.

Consultations

Financial Services
Dillon Consulting Ltd.

Financial Implications

According to Section 59(1) of the Act, if the contract price exceeds 133 percent of the engineer's construction estimate, the Council of the initiating municipality shall call a meeting to consider the contract price with the affected landowners and discuss the next steps. As the lowest tendered bid was 7.72% lower than the engineer's construction estimate, a meeting with the affected landowners is not required.

Other than costs to administer the project, the project costs are 100% recoverable from the affected lands, including Town owned lands, as detailed in the Assessment Schedule included in the Engineer's Report dated January 20, 2023. The Town will utilize the Drain Lifecycle Reserve to pay for the Town's drainage assessment.

In accordance with Section 62(1) of the Act, Council will need to pass a by-law to assess actual costs to the lands and roads that contribute to the Drain, at which time the Town's final costs will be known. The estimated costs to the Town within the Drainage Report are \$111,001.

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:

Alessia Mussio, E.I.T.
Drainage Superintendent

Reviewed by:

Phil Bartnik, P.Eng.
Director Public Works & Engineering 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
1	Dillon Consulting Ltd. Recommendation Letter (July 5, 2023) for Gouin Drain Tender Results