



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-2023-54

Subject: Antaya Drain – Tender Award

Recommendations

It is recommended:

That the tender for the Antaya Drain in the amount of \$76,814 excluding HST **be awarded** to Murray Mills Excavating & Trucking (Sarnia) Ltd. (Murray Mills Excavating);

And that By-law 2023-082 **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 Murray Mills Excavating.

Background

On January 25, 2023, Council reconsidered report [PWES-2023-04](#) for the reassessment of the Antaya Drain under the Drainage Report by Mark Hernandez, P.Eng., of Dillon Consulting Ltd. (Dillon) dated March 16, 2022, and provisionally adopted By-Law 2023-008 (Motion PCM-04/23). Council gave the third and final reading on March 28, 2023.

This project consists of reinstating part of the Antaya Drain, replacing and restoring existing yard catch basins, brushing, excavating the drain bottom and replacing and repairing existing bridges. The Town received approval from the Essex Region Conservation Authority (ERCA) on May 6, 2020.

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. Six (6) 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)
Murray Mills Excavating & Trucking (Sarnia) Ltd.	\$76,814
Mark G Contracting	\$86,966
Barrette Excavating Inc.	\$109,925
Nevan Construction Inc.	\$152,000
Matassa Inc.	\$206,250
Rudak Excavating Inc.	\$257,400

As part of their review, Dillon checked each of the submissions for mathematical errors or bid irregularities and discovered none.

All Tenderers submitted their required Bid Bond and there were no addendums.

The Engineer's construction estimate for this project was \$61,800. The lowest tender of \$76,814 is 124% of the Engineer's construction estimate and does not exceed 133% which would trigger Section 59(1) of the *Drainage Act*.

Based on their low tender submission and subsequent discussions, Administration, in consultation with Dillon, recommends that Council award the tender for the Antaya Drain in the amount of \$76,814 excluding HST to Murray Mills Excavating.

Consultations

Financial Services
Dillon Consulting Ltd.

Financial Implications

According to Section 59(1) of the Act, if the contract price exceeds 133% 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 124% higher, 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 as detailed in the Assessment Schedule included in the Engineer's Report dated March 16, 2022.

In accordance with Section 62(1) of the Act, Council will need to pass a by-law to assess out actual costs of the lands and roads that contribute to the Drain. The Town is not assessed in the Drainage Report as the Town does not have any lands or roads within the watershed area.

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 (dated July 5, 2023) for the Antaya Drain Tender Award