



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: February 27, 2024

Report Number: PWES-2024-16

Subject: 11th Concession Drain Branch – Tender Award

Recommendations

It is recommended:

That the tender for the 11th Concession Drain Branch, in the amount of \$28,925.00 excluding HST, **be awarded** to Di Menna Excavating Contractors Inc.;

And that By-Law 2024-019 **be considered** for first, second, third and final readings, to authorize the Mayor and Clerk to execute an agreement, satisfactory in form to the Town's solicitor, with Di Menna Excavating Contractors Inc.

Background

On March 28, 2023, Council considered report [PWES-2023-27](#) for the petition of a new Municipal Drain known as the 11th Concession Drain Branch (Drain) under the Drainage Report by Mark Hernandez, P.Eng., of Dillon Consulting Ltd. (Dillon) dated February 7, 2023, and provisionally adopted By-Law 2023-43 (Motion: PCM-20/23). Council gave the third and final reading on June 27, 2023.

This project consists of replacing and upgrading existing culvert enclosures along the west side of 11th Concession Road, replacing catch basins, and connecting a new outlet into the County Road No. 42 Drain. The Town received a permit for the work from the Essex Region Conservation Authority (ERCA) on January 25, 2024.

Comments

A Tender call was advertised on the Town’s website along with being posted on the Town’s bids and tenders account on February 1, 2024. Eight (8) tender submissions were received on February 15, 2024, 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)
Di Menna Excavating Contractors Inc.	\$28,925.00
Murray Mills Excavating	\$33,671.00
D’Amore Construction (2000) Ltd.	\$48,000.00
Sherway Contracting (Windsor) Limited	\$74,430.00
Nevan Construction Inc.	\$86,960.00
J.C.S. Construction Inc.	\$87,000.00
Rudak Excavating Inc.	\$96,400.00
Jones Group Ltd.	\$187,200.06

As part of their review, Dillon checked each of the submissions for mathematical errors or bid irregularities and discovered mathematical errors within the tender received by Jones Group Ltd., however, it did not affect the standing.

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

The lowest tender of \$28,925.00 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 11th Concession Drain Branch in the amount of \$28,925.00 excluding HST to Di Menna Excavating Contractors 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 approximately 30 percent 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, as detailed in the Assessment Schedule included in the Engineer’s Report dated February 7, 2023.

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 would be known. However, there are no estimated costs to the Town within the Drainage Report.

Link to Strategic Priorities

Applicable	2023-2026 Strategic Priorities
<input checked="" type="checkbox"/>	Sustainable Growth: Achieve prosperity and a livable community through sustainable growth.
<input type="checkbox"/>	Community Health and Inclusion: Integrate community health and inclusion into our places and spaces and everything we do.
<input checked="" type="checkbox"/>	Service Experience: Enhance the experience of Team Tecumseh and our citizens through responsive and respectful service.

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:

Matthew Shiha, E.I.T.
Drainage Superintendent

Reviewed by:

John Henderson, P.Eng.
Manager Engineering Services

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:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Dillon Consulting Ltd. Recommendation Letter (Feb 20, 2024) for 11 th Concession Drain Branch Tender Results