



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: August 13, 2024

Report Number: PWES-2024-45

Subject: Shuttleworth Drain – Tender Award

Recommendations

It is recommended:

That the tender award for the Shuttleworth Drain, in the amount of \$190,726 excluding HST, **be awarded** to Murray Mills Excavating & Trucking (Sarnia) Ltd.;

And that By-Law 2024-071 **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 Murray Mills Excavating & Trucking (Sarnia) Ltd.

Background

On September 12, 2023, Council considered report [PWES-2023-63](#) for the improvements to the Shuttleworth Drain (Drain) under the Drainage Report by Gerard Rood, P.Eng., of Rood Engineering Inc. (Rood) dated August 21, 2023, and provisionally adopted By-Law 2023-95 (Motion: PCM-35/23). Council gave the third and final reading on November 14, 2023.

This project consists of restoring the drain back to its original design capacity through open drain work and the replacement and repair of existing culverts. The Town received a permit for the work from the Essex Region Conservation Authority (ERCA) on July 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 June 28, 2024. Six (6) tender submissions were received on July 18, 2024, and were virtually opened in the presence of the Town's Purchasing Officer.

Rood Engineering Inc. 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.	\$190,726
Nevan Construction Inc.	\$218,968
Matassa Incorporated	\$281,393.80
Sherway Contracting	\$292,463
Rudak Excavating	\$356,700
J.C.S. Construction Inc.	\$499,968

As part of their review, Rood Engineering Inc. checked the lowest 3 submissions for mathematical errors or bid irregularities and discovered none.

All Tenderers submitted their required Bid Bond and acknowledged receipt of Addendum No. 1 & 2.

The lowest tender of \$190,726 is above the Engineer's construction estimate by 7.2%.

Based on their low tender submission and subsequent discussions, Administration, in consultation with Rood Engineering Inc., recommends that Council award the tender for the Shuttleworth Drain in the amount of \$190,726 excluding HST to Murray Mills Excavating & Trucking (Sarnia) Ltd.

Consultations

Financial Services
Rood Engineering Inc.

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 107.2% of 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 August 21, 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 once the project has been completed to the lands and roads that contribute to the Drain, which at that time the Town's final costs would be known. The estimated cost to the Town within the Drainage Report is \$88,600.00.

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	Rood Engineering Inc. Recommendation Letter (July 22, 2024) for Shuttleworth Drain Tender Results