



The Corporation of the Town of Milton

Report To: Council

From: Glen Cowan, Chief Financial Officer / Treasurer

Date: July 17, 2023

Report No: CORS-041-23

Subject: Purchasing Various - July 17, 2023

Recommendation: **THAT Council approve the budget amendments and related funding sources as outlined on Schedule A;**

THAT the contract increase to Gazzola Paving for the 2023 Asphalt Overlay Program (Main Street from Thompson Road to Drew Centre) in the total amount of \$752,944.67 (exclusive of HST) be approved as outlined on Schedule B.

THAT the contract increase to WSP E&I Canada Limited (formerly Wood Environment & Infrastructure Solutions) for the Design of the Stormwater Management (SWM) Pond Rehabilitation Project in the amount of \$29,998 (exclusive of HST) be approved as outlined on Schedule C.

THAT the contract increase to TMC Fencing Ltd. for Guard Rail Repairs in the total amount of \$150,000 (exclusive of HST) be approved as outlined on Schedule D.

THAT the contract increase to CIMA Canada Inc. for detailed design for the Jasper Street Reconstruction in the total amount of \$15,000 (exclusive of HST) be approved as outlined on Schedule E.

THAT a budget amendment to increase the capital budget C33014919 (Jasper Street Reconstruction) by \$30,000 to address drainage and associated property access be approved as outlined on Schedule E.

THAT the contract increase to WSP E&I Canada Limited (formerly Wood Environment & Infrastructure Solutions) for the Detailed Road Design of Appleby Line in the total amount of \$25,640 (exclusive of HST) be approved as outlined on Schedule F.

THAT the award made under delegated authority for the tender of the 2023 Bridge and Culvert Rehabilitation Program to Jarlian

Construction Inc. in the amount of \$544,150 (exclusive of HST) be received for information as outlined on Schedule G.

THAT the emergency contract increase for additional work required for the Citizen Engagement Survey to Forum Research Inc. in the total amount of \$9,525 (exclusive of HST) be received for information as outlined on Schedule H.

THAT the contract increase for the emergency consulting services work required to address deck cracking peer review work on the 16 Mile Creek Bridge Crossing to WSP E&I Canada Limited (formerly Wood Environment & Infrastructure Solutions) in the total amount of \$32,671.50 (exclusive of HST) be received for information as outlined on Schedule I.

THAT the emergency contract award for environmental clean up to Accuworx Inc. in the total amount of \$138,203.58 (exclusive of HST) be received for information as outlined on Schedule J.

THAT the emergency award for environmental consulting services work required to facilitate soil and water samples, and response to the Ministry of Environment, Conservation and Parks (MECP) to WSP E&I in the total amount of \$20,000 (exclusive of HST) be received for information as outlined on Schedule J.

THAT the delegated authority to renew the contract to Ducon Utilities Ltd. for the Traffic Signal and Streetlight Maintenance for the fifth and final year (August 1, 2023 to July 31, 2024) in the total estimated amount of \$939,393 (exclusive of HST) be approved as outlined on Schedule K.

THAT the Manager, Purchasing and Supply Chain Management be authorized to execute the contract(s), as outlined by the purchasing by-law, and the Mayor and the Town Clerk be authorized to sign any required paperwork.

EXECUTIVE SUMMARY

This report is being submitted to obtain Council's authorization on the various items on the attached schedules. Requests are being made as per the guidelines outlined in the Purchasing By-law No. 061-2018 and the Budget Management Policy (Policy No.113).



REPORT

Background

Procurement of goods and services is governed by By-law No. 061-2018. Purchasing activity is undertaken in a manner that is intended to support the Town's mandate to provide effective, responsible government and efficiently deliver services to the residents of Milton.

Discussion

Information pertaining to the recommended purchasing awards is included on the corresponding Schedules (A to K) attached. Awards include contract increases that are required in relation to on-going project needs, as well as reporting back to Council on several emergency awards that were required in order to respond to unforeseen events and program needs. Delegated authority has been requested to renew the fifth and final year of the Traffic Signal and Streetlight Maintenance contract. At the time of preparing this report, staff and the vendor (Ducon Utilities) are working through establishing the terms and unit rates for the fifth year, and the delegation of authority will allow for execution of the renewal for the anticipated effective date.

Financial Impact

Financial impacts are outlined in detail on the attached Schedules A through K, and result in a net increase in funding to the capital program of \$151,432, with funding primarily from the Project Variance Account.

Respectfully submitted,

Glen Cowan
Chief Financial Officer / Treasurer

For questions, please contact:

Sharon Telfer, Manager, Purchasing and Supply Chain Management	Phone: Ext. 2138
Shirley Xie, Supervisor, Financial Reporting	Ext. 2472



Attachments

- Schedule A – Summary of Changes in Capital Project Budgets and Funding
- Schedule B – Contract Increase for 2023 Asphalt Overlay Program
- Schedule C – Contract Increase for the Stormwater Management Pond Rehabilitation
- Schedule D – Contract Increase for Guard Rail Repairs
- Schedule E – Contract Increase for Jasper Street Reconstruction
- Schedule F – Contract Increase for Appleby Line
- Schedule G – Contract Award for the 2023 Bridge and Culvert Rehabilitation Program
- Schedule H – Emergency Award for the Citizen Engagement Survey
- Schedule I – Emergency Award for 16 Mile Creek Bridge Crossing
- Schedule J – Emergency Award for Highpoint Pond
- Schedule K – Renewal of the Traffic Signal and Streetlight Maintenance Contract

Approved by CAO
Andrew M. Siltala
Chief Administrative Officer

Recognition of Traditional Lands

The Town of Milton resides on the Treaty Lands and Territory of the Mississaugas of the Credit First Nation. We also recognize the traditional territory of the Huron-Wendat and Haudenosaunee people. The Town of Milton shares this land and the responsibility for the water, food and resources. We stand as allies with the First Nations as stewards of these lands.

Summary of Changes in Capital Project Budgets and Funding

Schedule	E	F	J	Total Change in Funding Sources Increase / (Decrease)
Project Number	C33014919	C35000521	C43000122	
Project Description	Jasper Street Reconstruction	Appleby Line	Stormwater Pond Maintenance - Construction	
Total Approved Project Budget	\$ 115,814	\$ 468,887	\$ 1,293,039	
Project Variance Account	45,264	23,482	80,077	148,823
Development Charges:				
Roads DC		2,609		2,609
Total Increase/(Decrease) in Funding	45,264	26,091	80,077	\$ 151,432
Total Revised Project Budget	\$ 161,078	\$ 494,978	\$ 1,373,116	

COUNCIL AUTHORITY FOR CONTRACT AWARDS

Project Award	Contract Increase for Gazzola Paving Limited for 2023 Asphalt overlay contract.
Recommendation	Staff are recommending the contract increase to Gazzola Paving for the 2023 Asphalt Overlay Program in the total amount of \$752,944.67 (exclusive of HST).
Purpose of Report	As per Section 10.1 of Purchasing By-law No. 061-2018, Council approval is required.
Background information	<p>Through CORS-016-23, Council approved Tender Award 23-01-00097 for the 2023 Asphalt Overlay Program to Gazzola Paving Limited in the amount of \$7,115,685 (exclusive of HST). There have been no change orders to-date.</p> <p>This contract increase in the amount of \$752,944.67 (exclusive of HST) is for the following: Main Street rehabilitation from Thompson Rd to Drew Centre to complete the work in accordance with:</p> <ul style="list-style-type: none"> • Drawings, Main Street from Drew centre to Thompson Rd (Sheets 1 and 2) • Form of tender, Main Street, from Drew Centre to Thompson Rd • Supplemental Special Provision, Main Street , from Drew Centre to Thompson Road • Soils characterization report • Contract specifications for Contract No 23-01-00097 shall applied with the addition or as modified as per supplemental special provision Main Street <p>Gazzola’s quote was received Monday June 12 and reviewed by WSP and the Town. The quotation from Gazzola in the amount of \$752,994.67 was compared with WSP’s estimate and the quote was found competitive.</p> <p>Infrastructure and WSP are recommending to accept the quote from Gazzola based on the following reasons:</p> <ul style="list-style-type: none"> • Quotation is competitive compared with WSP’s estimate • Where items were included in the 2023 AOL tender, the unit rates provided by Gazzola for Main St RFQ are similar to the unit rated in the tender 2023 AOL • For the CB lead item, Gazzola was willing to reduce the unit rate to a more competitive rate • Gazzola’s performance to date on the 2023 AOL has been acceptable • Cost savings in mobilization as Gazzola’s crews an equipment are already in Milton • Proceeding with the work on a single contract will provide

	<p>saving in administering the contract</p> <ul style="list-style-type: none"> • Proceeding with the work with Gazzola will result in cost saving in tender and procurement <p>The new contract total will be \$7,868,629.30 (exclusive of HST).</p>
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Financial Planning Section: Budget Impact (Note 1)

Account Number(s)	C33015123 -A0611-7670/7650
Account Description	Main St (Drew Centre to Thompson Rd)
Project Total Budget	\$1,118,151
Contract Budget	\$769,551
Actual (Net of HST Rebate)	\$766,196
Variance	\$ 3,355 (F)
Funding Source	Project Variance Account

Note 1: Financial impact includes any non-refundable portion of HST.

**COUNCIL AUTHORITY FOR CONTRACT AWARDS
CONTRACT INCREASE**

Project Award	Contract Increase for Consulting Services for the Design of the Stormwater Management (SWM) Pond Rehabilitation Project
Recommendation	Staff are recommending the a contract increase to WSP E&I Canada Limited (formerly Wood Environment & Infrastructure Solutions) for the Design of the Stormwater Management (SWM) Pond Rehabilitation Project in the amount of \$29,998 (exclusive of HST).
Purpose of Report	As per Section 10.1 of Purchasing By-law No. 061-2018, Council approval is required.
Background information	<p>The original contract awarded to WSP E&I Canada Limited (formerly Wood Environment & Infrastructure Solutions) for detailed design and contract administration of the SWM Pond Rehabilitation Project was \$147,107 (exclusive of HST), awarded through PDA-CRAN-21-051-12. To-date, \$12,640 (exclusive of HST) in change orders have been processed to account for additional effort for Contract Administration and Inspection during construction due to contractor delays, and a minor scope change. The current contract total is \$159,747 (exclusive of HST).</p> <p>This contract increase, in the amount of \$29,998 (exclusive of HST), is for additional investigation identified through the detailed design component of the project and is needed to;</p> <ul style="list-style-type: none"> • Confirm the ponds volume is consistent with its original design. • Determine why the ponds permanent pool elevation is higher than its design elevation. <p>The unit rates are in line with the overall roster unit rates for WSP (RFP 21-051). Unit rates from the CCTV sub-contractor will be reviewed when available, and against those applied recent Town projects including \$/m of pipe inspection and \$/structure inspection.</p> <p>The new contract total will be \$189,745 (exclusive of HST).</p>

Financial Planning Section: Budget Impact (Note 1)

Account Number(s)	C43000120-N0821-7220
Account Description	Stormwater Pond Maintenance
Project Total Budget	\$755,523
Contract Budget	\$3,553
Actual (Net of HST Rebate)	\$30,526
Variance (Note 2)	\$26,973(U)
Funding Source	Variance within the project

Note 1: Financial impact includes any non-refundable portion of HST.

Note 2: The unfavourable variance will be managed through the reallocation of other expenditure lines within the project.

**COUNCIL AUTHORITY FOR CONTRACT AWARDS
CONTRACT INCREASE**

Project Award	Contract Increase for Guard Rail Repairs for Town and Regional Roads
Recommendation	Staff is recommending approval to proceed with a contract increase for Guard Rail Repairs in the total amount of \$150,000 (exclusive of HST).
Purpose of Report	As per Section 10.1 of Purchasing By-law No. 061-2018, Council approval is required.

Background information	<p>The original award resulted from a competitive HCPG Request for Tender No. HCPG-404-20 for Guard Rail Repairs issued by the City of Burlington in 2020 on behalf of the Halton Cooperative Purchasing Group (HCPG) and was awarded to TMC Fencing Ltd. for a possible four (4) year term, which was comprised of the original one (1) year award for the period December 1, 2020 to November 30, 2021, and had an option for three (3) additional one-year renewal periods. The contract was assigned from the City of Burlington to the Town of Halton Hills in 2021.</p> <p>The Town of Milton was in a contract with a different (existing) vendor for the first term of the contract starting December 1, 2020 to November 30, 2021.</p> <p>The second term of the contract with TMC was utilized in the total estimated amount of \$24,492 (exclusive of HST). A change order was approved in the amount of \$100,318 (exclusive of HST). The total estimated amount for the second term is \$124,810 (exclusive of HST).</p> <p>The third term of the contract was renewed in the total estimated amount of \$28,828 (exclusive of HST) and was approved through PDA-096-22.</p> <p>The annual amounts (exclusive of HST) incurred to date through the contract are:</p>															
	<table border="1"> <thead> <tr> <th>Period Start</th> <th>Period End</th> <th>Blanket Amount</th> <th>Actual Cost</th> </tr> </thead> <tbody> <tr> <td>December 1, 2020</td> <td>November 30, 2021</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>December 1, 2021</td> <td>November 30, 2022</td> <td>\$124,810</td> <td>\$85,964</td> </tr> <tr> <td>December 1, 2022</td> <td>November 30, 2023</td> <td>\$28,828</td> <td>\$61,428*</td> </tr> </tbody> </table> <p>*Actual spend from December 1, 2022 to May 31, 2023.</p> <p>A contract increase for the third term is being requested in the amount of \$150,000 (exclusive of HST). This increase is required for additional work to repair guard rails for Town and Regional</p>	Period Start	Period End	Blanket Amount	Actual Cost	December 1, 2020	November 30, 2021	\$0	\$0	December 1, 2021	November 30, 2022	\$124,810	\$85,964	December 1, 2022	November 30, 2023	\$28,828
Period Start	Period End	Blanket Amount	Actual Cost													
December 1, 2020	November 30, 2021	\$0	\$0													
December 1, 2021	November 30, 2022	\$124,810	\$85,964													
December 1, 2022	November 30, 2023	\$28,828	\$61,428*													

	roads due to unpredictable accidents. The contract total actual for the first 2 ½ year term is in the amount of \$147,392 (exclusive of HST). The estimated four (4) year total actual of this contract is \$347,392 (exclusive of HST).
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Financial Planning Section: Budget Impact (Note 1)	
Account Number(s)	0500-0550-3740
Account Description	Guard Rail Repairs - Labour, Materials & Equipment
Project Total Budget	N/A
Contract Budget	\$50,000
Estimated Actual (Net of HST Rebate)	\$179,368
Variance	\$129,368 (U)
Funding Source	Operating budget

Note 1: Financial impact includes any non-refundable portion of HST.

Note 2: Contract actuals are an estimate and will vary based on volume of activity. A forecasted increase in an amount of \$68,000 has been reported through the May Operating Variance report (CORS-034-23) reflective of invoices received to date. The remaining costs will be managed by Program Area staff and reviewed with Financial Planning with any variances being reported through the future variance processes. Where the party involved in the accident can be determined, costs will be recovered through insurance processes. Any work done on guard rails on Regional Roads will be recovered from the Region of Halton.

**COUNCIL AUTHORITY FOR CONTRACT AWARDS
CONTRACT INCREASE**

Project Award	Contract Increase for Consulting Services for the Design of the Jasper Street Reconstruction
Recommendation	<p>Staff is recommending approval to proceed with a contract increase to CIMA Canada Inc. for detailed design for the Jasper Street Reconstruction in the total amount of \$15,000 (exclusive of HST).</p> <p>Staff is recommending a budget amendment to increase the capital budget C33014919 to address drainage and associated property access for Jasper by \$30,000 (exclusive of HST)</p>
Purpose of Report	As per Section 10.1 of Purchasing By-law No. 061-2018, Council approval is required.
Background information	<p>The current contract awarded to CIMA Canada Inc. for the detailed design of Jasper Street is \$67,273 (exclusive of HST). The detailed design was awarded in 2019 through PDA-CRAN-19-051-17. No change orders have been made to-date.</p> <p>This contract increase of \$15,000 (exclusive of HST) is for the additional design efforts required for the continued coordination regarding obtaining access through private property to address drainage issues. Staff and reviewed and validated the unit rates provided by CIMA Canada Inc. The new contract total will be \$82,273 (exclusive of HST).</p> <p>CIMA Canada Inc. has been supporting staff with coordination efforts with a drainage issue which involves accessing private property. This support includes providing alternative design options, reviewing external consultant designs and reports and providing support with our legal team when required.</p> <p>The additional funds are required due to the additional efforts associated with support services to resolve this drainage issue that were not anticipated in the original scope of work.</p> <p>Additional funds are also required for continued coordination regarding obtaining an easement to access private property for drainage purposes. The estimated value required for these works is \$30,000 (exclusive of HST)</p>

Financial Planning Section: Budget Impact (Note 1)

Account Number(s)	C33014919-A0611-7220
Account Description	Jasper Street Reconstruction

Project Total Budget	\$115,814
Contract Budget	\$0
Actual (Net of HST Rebate)	\$15,264
Variance	\$15,264 (U)
Funding Source	Project Variance Account
Additional Budget Request	\$30,000
Funding Source	Project Variance Account

Note 1: Financial impact includes any non-refundable portion of HST.

COUNCIL AUTHORITY FOR CONTRACT AWARDS

Project Award	Contract Increase for additional services to WSP E&I Canada Limited (formerly Wood Environment & Infrastructure Solutions) for Detailed Road Design of Appleby Line PH3
Recommendation	Staff are recommending the contract increase to WSP E&I Canada Limited (formerly Wood Environment & Infrastructure Solutions) for Detailed Road Design of Appleby Line in the total amount of \$25,640 (exclusive of HST).
Purpose of Report	As per Section 10.1 of Purchasing By-law No. 061-2018, Council approval is required.
Background information	<p>The current contract awarded to WSP for Appleby Line Design is in the amount of \$306,923 (exclusive of HST). This contract was awarded as a result of the previous roster process. The original award was in the amount of \$288,363 (exclusive of HST). Change orders to-date are in the amount of \$18,560 (exclusive of HST).</p> <p>This contract increase in the amount of \$25,640 (exclusive of HST) is for the following:</p> <ul style="list-style-type: none"> • Structural design for the retaining walls, geotechnical investigation, additional effort to prepare tender documents (Estimate, Special Provisions and work related to this item) • 7139 Entrance design and topo survey <p>The rates used are consistent with previous rates charged under this contract and further and are consistent with those in the initial request for proposal.</p> <p>The new contract total will be \$332,563 (exclusive of HST).</p>

Financial Planning Section: Budget Impact (Note 1)

Account Number(s)	C35000521-A0611-7220
Account Description	Appleby Line
Project Total Budget	\$468,887
Contract Budget	\$0
Actual (Net of HST Rebate)	\$26,091
Variance	\$26,091 (U)
Funding Source	Project Variance Account / Development Charges

Note 1: Financial impact includes any non-refundable portion of HST.

**COUNCIL AUTHORITY FOR CONTRACT AWARDS
DELEGATED AUTHORITY**

Project Award	Reporting back to Council on the Delegated Authority to award Tender No. 23-01-00504 for the 2023 Bridge and Culvert Rehabilitation Program.
Recommendation	That the award made under delegated authority to award the tender for the 2023 Bridge and Culvert Rehabilitation Program to Jarlian Construction Inc. in the amount of \$544,150 (exclusive of HST) be received for information.
Purpose of Report	As per Section 7.2.2 of the Purchasing By-law, a report to Council for information is required when the delegated authority provided in that section is utilized.
Background information	<p>Through CORS-028-23, Council approved the delegated authority to Staff to proceed with the award of the tender for the 2023 Bridge and Culvert Rehabilitation program tender in the total estimated amount of \$ 638,747 (exclusive of HST) to assist staff in the advancement of awarding the tender due to long lead times in ordering bridge components.</p> <p>Staff issued tender 23-01-00504 for the 2023 Bridge and Culvert Rehabilitation Program to the open Market. A total of five submission were received.</p> <ul style="list-style-type: none"> • Jarlian Construction Inc. \$ 614,899.50 (incl. HST) • Bronte Construction \$ 724,923.25 (incl. HST) • Lancoa Contracting Inc. \$ 842,552.58 (incl. HST) • Marbridge Construction Ltd. \$ 844,641.10 (incl. HST) • HugoMB Contracting Inc. \$ 1,264,106.26 (incl. HST) <p>Staff processed internal report PDA-055-23 to award this contract to Jarlian Construction Inc in the amount of \$544,150 (exclusive of HST), being the lowest compliant bid received.</p>

Financial Planning Section: Budget Impact (includes non-refundable HST)

Account Number(s)	C39011223-N0613-7665
Account Description	Bridge/Culvert Rebab Needs - Construction
Project Total Budget	\$ 917,401
Contract Budget	\$ 638,747
Actual (Net of HST)	\$ 553,727
Variance (Note 1)	\$ 85,020 (F)
Funding Source	Project Variance Account

Note 1: The favourable variance remained in the project account to manage any additional requirements from the external environmental agencies (MECP, CH) that arose during the permit process.

EMERGENCY CONTRACT INCREASE

Project Award	Emergency Contract Increase to Forum Research relating to the Citizen Engagement Survey
Recommendation	Staff proceeded with the emergency contract increase for additional work required for the Citizen Engagement Survey to Forum Research Inc. in the total amount of \$9,525 (exclusive of HST). This emergency contract increase is being received for information.
Purpose of Report	As per Section 11.1 of Purchasing By-law No. 061-2018, emergency expenditures shall be reported to Council for information.
Background information	<p>The Request for Proposal (RFP) 22-575 for Consulting Services to conduct a Citizen Engagement Survey was awarded to Forum Research Inc. in the total amount of \$37,320 (exclusive of HST).</p> <p>The RFP indicated that each telephone survey conducted should take an average of 15 minutes in duration. Upon the onset of the surveys, and based on the questions proposed by the internal working group, the telephone surveys were averaging 26 minutes in duration. The internal working group reviewed the set of questions posed and removed a number in an attempt to bring the average length down to what was originally agreed upon but there was only a minor reduction to 22 minutes in duration.</p> <p>As time was of the essence in order to present the data to Council and leverage it for strategic planning purposes, Staff proceeded with a change order for additional consulting services for the additional time required to conduct the telephone surveys.</p> <p>The final contract total is \$46,845 (exclusive of HST).</p>

Financial Planning Section: Budget Impact (Note 1)

Account Number(s)	C10112721-N0250-7290
Account Description	Council Staff Work Plan
Project Total Budget	\$317,169
Contract Budget	\$0
Actual (Net of HST Rebate)	\$9,693
Variance (Note 2)	\$9,693 (U)
Funding Source	Reallocation within the project

Note 1: Financial impact includes any non-refundable portion of HST.

Note 2: The unfavourable variance will be managed through the reallocation of other expenditure lines within the project.

EMERGENCY CONTRACT INCREASE

<p>Project Award</p>	<p>Emergency Contract Increase for additional services to WSP E&I Canada Limited (formerly Wood Environment & Infrastructure Solutions) for the 16 Mile Creek Bridge Crossing project.</p>
<p>Recommendation</p>	<p>Staff proceeded with the contract increase for the emergency consulting services work required to address deck cracking peer review work on the 16 Mile Creek Bridge Crossing to WSP E&I Canada Limited (formerly Wood Environment & Infrastructure Solutions) in the total amount of \$32,671.50 (exclusive of HST).</p> <p>This award is being received for information.</p>
<p>Purpose of Report</p>	<p>As per Section 11.1 of Purchasing By-law No. 061-2018, emergency expenditures shall be reported to Council for information.</p>
<p>Background information</p>	<p>The current contract awarded to WSP for design peer review is \$83,295.50 (exclusive of HST), on Purchase Order C-17-65 R#19, prior to the emergency contract increase.</p> <p>The original award to WSP E&I Canada Limited, on Purchase Order C-17-65 R#19, was \$23,382.50 (exclusive of HST), and change orders in the amount of \$2,500.00 (exclusive of HST, CORS-036-19), \$2,395.00 (exclusive of HST), \$48,663 (exclusive of HST, CORS-029-21) and \$6,355 (exclusive of HST) have been issued to-date.</p> <p>This emergency contract increase of \$32,671.50 (exclusive of HST) is for continued peer review during the construction phase of the project, specific to structural oversight related to deck cracking. In order to ensure invoices would be paid within legislated timelines, and to ensure critical peer review work continued (being performed on a time and material basis), the emergency award for the contract increase was required.</p> <p>The amount of \$32,671.50 (exclusive of HST) was awarded in 3 separate change orders, as follows: \$14,850 for oversight and quality control peer review to the end of December 2022, \$9,221.50 for costs anticipated for January and February 2023, and \$8,600 for a structural integrity audit in April of 2023. To-date, \$17,747.50 of the emergency award has been invoiced, and only actual costs will be approved for payment.</p> <p>The cost of this work completed by WSP will be fully recovered from the Boyne Landowners/Delta Urban, in line with the 16 Mile Creek Road & Bridge Works and Reimbursement agreement.</p> <p>The new contract total will be \$115,967 (exclusive of HST).</p>

Financial Planning Section: Budget Impact (Note 1)	
Account Number(s)	3020-3736
Account Description	Infrastructure Management – Consultants Recoverable
Project Total Budget	NA
Contract Budget	\$ 0
Actual (Net of HST Rebate)	\$ 33,247
Variance	\$ 33,247 (U)
Funding Source	Developer Recoveries (Note 2)

Note 1: Financial impact includes any non-refundable portion of HST.

Note 2: Consultant expenses are fully recoverable from developers.

EMERGENCY CONTRACT AWARD

Project Award	Emergency Contract Award for environmental cleanup and spill containment to Accuworx Inc. and for environmental consulting services to WSP E&I Canada Limited for spill response at Highpoint Pond.
Recommendation	<p>Staff proceeded with the contract award for the emergency environmental clean up to Accuworx Inc. in the total amount of \$138,203.58 (exclusive of HST), and for emergency environmental consulting services work required to facilitate soil and water samples, and response to the Ministry of Environment, Conservation and Parks (MECP) related to a spill event at Highpoint Pond, to WSP E&I in the total amount of \$20,000 (exclusive of HST).</p> <p>These awards are being received for information.</p>
Purpose of Report	As per Section 11.1 of Purchasing By-law No. 061-2018, emergency expenditures shall be reported to Council for information.
Background information	<p>In late November 2022, a sheen on Highpoint Pond was reported by a member of the public to the MECP. The MECP contacted Town staff, as the pond is owned by the Town. As owners of the pond, the Town was required to respond to the MECP and address the apparent “spill” at the pond. This required the immediate engagement of Accuworx Inc., in order to contain the substance within the pond to avoid it from migrating downstream. In addition to containment, Accuworx flushed and cleaned the upstream storm sewer system, and removed material from the surface of the pond.</p> <p>In order to determine the source of the spill, the Town engaged WSP (one of the Town’s civil engineering roster consultants) to complete a site visit, and complete both soil and surface water sampling and analysis (as required by the MECP). This work was completed in December and early January, ultimately culminating in a report provided to the Town, indicating that the test results were not indicative of a subsurface source, but rather a spill event, or possibly the result of previous spill events that were not detected.</p> <p>From late November 2022 to the first week of June 2023, both Town staff and Accuworx monitored the site, with Accuworx attending weekly and replacing the containment measures as needed. Weekly reports were provided by Town staff to the MECP to keep them up to date on the status of the pond; over this period of time, two other spill events were identified and containment and clean up continued to be required.</p> <p>In May 2023, Town staff proceeded with providing a letter and a copy of the Town’s Stormwater Management By-law (095-2022) to</p>

the businesses in the Highpoint Industrial area to ensure they are aware of the by-law, as well as their responsibilities under the Environmental Protection Act, and to provide public education and outreach to mitigate the risk of any future, unreported spills by the source of the spill.

In spring 2023 it was agreed to by the MECP that once there were 3 consecutive weeks observed at the pond with no “sheen”, that all containment measures could be removed and no further water or soil sampling was required. This criterion was satisfied in early June, and all containment measures were removed from the site on June 9, 2023.

The Town has installed a locking gate at the entrance to the Highpoint Pond to mitigate the potential for future spills in the immediate vicinity of the pond. In addition, Town staff are continuing weekly monitoring of the pond inlet, so that if a subsequent spill event is identified, then swift action can be taken to contain and clean up the spill as required. In addition, the MECP has asked the Town to reach out to the MECP approvals branch to determine if any future modifications are required by the MECP for the Highpoint Pond. Staff anticipate a meeting with the approvals branch in late summer or early fall of this year.

This emergency contract award of \$138,203.48 (exclusive of HST) to Accuworx represents the total of the monthly invoices received for original site cleanup, storm sewer flushing and vacuuming, sheen removal, placement of containment measures and subsequent maintenance and replacement, and associated weekly site visits was required to ensure the Town was in compliance with the Environmental Protection Act and the requirements of the MECP. The emergency contract award of \$20,000 (exclusive of HST) to WSP E&I (PO# C-22-34 Rel.3) was required to move forward with site visits, soil and water samples and analysis, and the preparation of a technical memo for the Town, to assist in response to the MECP requirements. Of the \$20,000 (ex. HST) award to WSP E&I, \$12,024.69 (ex. HST) has been invoiced to-date – it is anticipated that the remaining \$7,975.31 (ex HST) will not be required. While not a typical “roster” assignment, WSP honored the 21-051 Civil Engineering Roster rates for this emergency work.

In order to ensure the Town was able to respond immediately to the identified spill event, and to subsequent requirements of the MECP, the emergency awards outlined above were required.

The cost of this emergency work was able to be accommodated within the approved budget for C43000122 Stormwater Pond Maintenance - Construction.

Financial Planning Section: Budget Impact (Note 1)	
Account Number(s)	C43000122-N0821-7290/7710
Account Description	2022 Stormwater Pond Maintenance - Construction
Project Total Budget	\$ 1,293,039
Contract Budget –WSP E&I	\$0
Actual (Net of HST Rebate)	\$20,352
Variance	\$20,352 (U) (Note 2)
Funding Source	Project Variance Account
Contract Budget – Accuworx	\$0
Actual (Net of HST Rebate)	\$140,636
Variance	\$140,636 (U) (Note 3)
Funding Source	Project Variance Account

Note 1: Financial impact includes any non-refundable portion of HST.

Note 2: Budget increase in an amount of \$25,000 was requested through 2022 Year End Capital Variance Report CORS-11-23 and is therefore not included as part of Schedule A to this purchasing various report.

Note 3: Budget increase in an amount of \$25,000 was requested through 2022 Year End Capital Variance Report CORS-11-23 (\$50,000 total for both amounts shown above). A further \$35,559 of the variance was able to be funded from a reallocation of spending in the project. A budget increase is being requested for the remaining amount of \$80,077 through this purchasing various report.

**COUNCIL AUTHORITY FOR CONTRACT AWARDS
DELEGATED AUTHORITY**

Project Award	Delegated Authority to renewal Contract No. 19-086 – Traffic Signal & Street Light Maintenance, fifth and final year.															
Recommendation	Staff are recommending the delegated authority to renew the contract to Ducon Utilities Ltd. for the Traffic Signal and Streetlight Maintenance for the fifth and final year (August 1, 2023 to July 31, 2024) in the total estimated amount of \$939,393 (exclusive of HST).															
Purpose of Report	As per Section 10.1 of Purchasing By-law No. 061-2018, Council approval is required.															
Background information	<p>The original award resulted from a competitive tender process lead by Milton on behalf of the Halton Cooperative Purchasing Group (HCPG). The contract was awarded to Ducon Utilities Ltd. for a possible five (5) year term, which was comprised of the original one (1) year award for the period August 1, 2019 to July 31, 2020, and four (4) additional one year renewals. The annual amounts incurred to date through the contract are:</p> <table border="1" data-bbox="620 1010 1432 1201"> <thead> <tr> <th>Period Start</th> <th>Period End</th> <th>Actual Cost</th> </tr> </thead> <tbody> <tr> <td>August 1, 2019</td> <td>July 31, 2020</td> <td>\$ 1,101,351</td> </tr> <tr> <td>August 1, 2020</td> <td>July 31, 2021</td> <td>\$ 881,380</td> </tr> <tr> <td>August 1, 2021</td> <td>July 31, 2022</td> <td>\$ 1,206,660</td> </tr> <tr> <td>August 1, 2022</td> <td>June 28, 2023</td> <td>\$ 922,657</td> </tr> </tbody> </table> <p>The amount fluctuates on a yearly basis as the contract captures both work related to maintenance (operating) as well as new installations and replacements (capital) for which the need can vary annually.</p> <p>The contract renewal for the fifth and final term is being requested in the total estimated annual amount of \$939,393 (exclusive of HST). This estimate is based on the Town’s existing operating budget and capital program. The actual cost will be dependent on the work authorized and undertaken, and will be subject to the unit rates outlined in the contract.</p> <p>The estimated work plan for the year has been reviewed and validated by the program area, resulting in the recommendation to proceed with the renewal, pending proposed unit rates.</p>	Period Start	Period End	Actual Cost	August 1, 2019	July 31, 2020	\$ 1,101,351	August 1, 2020	July 31, 2021	\$ 881,380	August 1, 2021	July 31, 2022	\$ 1,206,660	August 1, 2022	June 28, 2023	\$ 922,657
Period Start	Period End	Actual Cost														
August 1, 2019	July 31, 2020	\$ 1,101,351														
August 1, 2020	July 31, 2021	\$ 881,380														
August 1, 2021	July 31, 2022	\$ 1,206,660														
August 1, 2022	June 28, 2023	\$ 922,657														

	The contract total (years one to five) will now be in the estimated amount of \$5,051,441 (exclusive of HST). This is the last year of the contract. Staff will issue a new tender in 2024.
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Financial Planning Section: Budget Impact (Note 1)

Account Number(s)	Various Capital & Operating Accounts
Account Description	Traffic Signal and Street Light Maintenance
Project Total Budget	N/A
Contract Budget	\$ 955,926 (Note 2)
Estimated Actual (Net of HST Rebate)	\$ 955,926 (Note 3)
Variance	\$ 0
Funding Source	Various Capital & Operating Budgets

Note 1: Financial impact includes any non-refundable portion of HST.

Note 2: The budget shown represents the expected spending over the August 1, 2023 to July 31, 2024 contract period. It is reflective of existing approved capital budgets as well as the annual operating budget for signal and streetlight maintenance.

Note 3: Contract Actuals are an estimate based on the budgeted expected level of activity. The costs will vary based on activity as well as any change in the unit rates resulting from this renewal. The costs will be managed by Program Area staff and reviewed with Financial Planning with any variances being reported through the variance process.