

Town of Niagara-on-the-Lake

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Report: OPS-22-024

Committee Date: 2022-06-13

Due in Council: 2022-06-20

Report To: Committee of the Whole - General

Subject: Queen & Mississagua Entrance Project – Contractor Approval

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1. Council approve Aldershot Landscape Contractors Limited as a single-source contractor to complete the Queen & Mississagua Entrance project.

2. EXECUTIVE SUMMARY

Town Staff and the prime consultant, Seferian Design Group, have been readying the Queen & Mississagua Entrance project for tender. The previously approved vendor for the drystone wall withdrew from the project. The project team sourced another company (general contractor) that can complete the entire project, including the drystone wall and all required landscaping, irrigation, electrical, and site preparation requirements.

Town Staff is recommending to Council to single-source Aldershot Landscape Contractors Ltd (ALC) to be the general contractor for this project as ALC has experience completing major projects similar to the Town's Queen & Mississagua Entrance project and will be carrying a very competent and experienced drystone stone mason.

3. PURPOSE

The purpose of this report is to seek Council approval to single source Aldershot Landscape Contractors Limited (ALC). This vendor is supported by the generous donor, Mr. Gerry Kowalchuk and Seferian Design Group (SDG). As per By-law No. 4701A-18 (A Policy for the Procurement of Goods and Services), the value approval limit of Town Staff is \$100,000 or less. Therefore, Council is required to approve this vendor.

4. BACKGROUND

Town Staff presented a project update to Council at the January 24, 2022 meeting. This presentation identified the following items:

- Design changes based on feedback from Council Members
- Proposed plant material (colour palette)
- Preliminary cost estimates
- Construction of the drystone wall
- Project schedule
- Staff recommendations

At that meeting, Town Staff received the following direction from Council:

Moved by Councillor Wendy Cheropita, seconded by Councillor Norm Arsenault, that Council direct staff to have SDG complete the design and tender documents and issue the project for tender (with construction planned for September 2022); and that Council approve single-sourcing Dean McClellan Stonework for construction of the drystone stone wall.

5. DISCUSSION / ANALYSIS

Following the direction received from Council at the January 24, 2022, meeting, the project team (Town Staff, SDG, Mr. Kowalchuk) started to finalize the design and prepare the tender documents. When the project scope was revised to include drystone wall elements, Dean McClellan Stonework assisted with the design and cost estimates to construct the wall. Unfortunately, Town Staff and Mr. McClellan could not come to terms to finalize a contractual agreement. This led to Mr. McClellan submitting a withdrawal letter to the project team. The project team thanks Mr. McClellan for the knowledge, expertise and support he provided to the project.

When the project team received the notice of withdrawal, they looked at other contractors who performed similar work in drystone construction. SDG has worked with ALC for over four decades and has demonstrated success in producing excellent drystone projects. Their wall construction team will be led by Menno Braam, one of two accredited drystone wall specialists in Canada. He has numerous years of experience in building and teaching this art. Mr. Braam's work was presented to the project team, and they were very impressed with the quality of the work. By choosing to single-source this project to a qualified contractor like ALC, the Town will receive excellent value, and best serve the interests of the Town and its residents. The team at ALC advised that they can complete the work within the project timeline and budget envelope for this project. As Mr. Kowalchuk has generously donated the required \$250,000 in funding for this project, he has provided a letter indicating his recommendation to single-source the project to ALC. The consultant, SDG, has also submitted a letter of support based on their experience with ALC. The letters are attached as **Appendix I** and **Appendix II**, respectively.

The Town's Procurement By-law 4701A-18 allows a project to be single-sourced. Section 14.2 states:

14.2 A single source purchase may be conducted for the procurement of goods and/or services of any contract value without the competitive bid process when any of the following circumstances apply:

(f) Where a single source method of procurement can be justified to be in the best interest of the Town.

This project requires a specialized skill set because of the drystone wall construction. Dry Stone Walling is a craft and an art, and few contractors in Canada have expertise and qualifications in this area. In order to ensure that the desired quality standards are achieved, it is crucial to have a contractor with the appropriate training and expertise. ALC is also able to meet the project timeline and budget. Therefore, Town Staff is of the opinion that single sourcing this work "can be justified to be in the best interest of the Town" and meets the intent of the Town's Procurement Policy. Based on this assessment and in support of the donor's recommendation, Town Staff supports the selection of ALC for this work.

6. STRATEGIC PLAN

Pillar(s)

1. Protect Distinctive Community Assets

Objective(s)

2.2 Develop smart, balanced growth

Tactic(s)

Other

7. OPTIONS

7.1 **Option 1:** Approve the recommended contractor. (*As recommended*)

7.2 **Option 2:** Decline the recommended contractor. This would require the project to go out to tender and could jeopardize the project timelines and impact the overall result of the project due to the skill level required for the drystone stone wall. (*Not recommended*)

8. FINANCIAL IMPLICATIONS

There are no financial implications of this report to the Town. Mr. Gerry Kowalchuk has donated \$250,000 to the Town through the Gerald Kowalchuk Family Fund; this will be used toward the design and construction of this project.

SDG and Mr. Kowalchuk have reviewed the cost estimates and believe this project can be achieved within the current budget.

Other than Town Staff time already budgeted under the Town's Operating Budget, there is no additional cost to the Town to design and construct this project.

9. ENVIRONMENTAL IMPACT

This project is a beautification effort to enhance the entrance to the Heritage District. The landscape architect will be employing sustainability elements such as:

- reusing some of the materials currently on site
- transplanting existing trees to another Town property
- installation of an irrigation system resulting in fewer resources required for manual watering

10. COMMUNICATIONS

Upon Council approval of the recommendation, Town Staff will inform the project team. SDG will formalize contract documents with ALC and finalize the construction schedule. Once the schedule is finalized, Staff will update the Join the Conversation webpage so those engaged throughout the process can remain informed.

11. CONCLUSION

Town Staff recommends single-sourcing Aldershot Landscape Contractors Limited as the general contractor to complete the Queen and Mississagua Entrance project.

12. PREVIOUS REPORTS

- Not applicable

13. APPENDICES

- **Appendix I** – Letter of Support – Mr. Gerry Kowalchuk
- **Appendix II** – Letter of Support – Seferian Design Group – Brad Smith and Haig Seferian

Prepared & Recommended by:

Insert Signature

Kevin Turcotte

Direction of Operations (Acting)

Submitted by:

Insert Signature

Marnie Cluckie, MS.LOD, B.ARCH, B.ES
Chief Administrative Officer