

**Minutes of the Town of Amherstburg Special Public Meeting held on  
Thursday, October 1, 2009 at 8:00 a.m.**

**PRESENT:**

Mayor Wayne Hurst  
Deputy Mayor Robert Bailey  
Councillor Rick Fryer  
Councillor Robert (Bob) Pillon  
Councillor Paul Renaud  
Councillor John Sutton  
Councillor Rosa White

**ALSO PRESENT:**

Ron Dzombak, Manager of Recreational Services  
Jackie Hubbs, Manager of Development Services  
Brenda Percy, Manager of Council and Legislative Services  
Lou Zarlenga, Public Works Manager

**ABSENT WITH NOTICE:** Pamela Malott, CAO (Town Business)

**CALL TO ORDER**

Mayor Hurst called the meeting to order at 8:00 A.M.

**DISCLOSURE OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

**MOTION TO MOVE TO IN-CAMERA**

Mayor Hurst advised that Council will be moving In-Camera to address an issue in relation to property disposition.

Moved by Councillor R. White  
Seconded by Councillor P. Renaud

That Council move to Council In-Camera session at 8:02 a.m. to discuss a property/disposition matter.

**Motion Carried**

**MOTION TO RECONVENE**

Moved by Councillor R. Fryer  
Seconded by Councillor R. Pillon

That Council reconvene at 8:05 a.m.

**Motion Carried**

**REPORTS OF MUNICIPAL OFFICERS**

**Report # 2**

The disposition of Ranta Marina was discussed.

Mayor Hurst advised that this is an issue that Council has discussed at length. Council has taken a position that the matter should be dealt with at a regular public meeting with proper notification so that people can come forward to speak to the matter.

Moved by Councillor R. Pillon  
Seconded by Councillor J. Sutton

That the report be received and that it be deferred to the October 13, 2009 Council meeting for consideration.

**Motion Carried**

Moved by Councillor R. Pillon  
Seconded by Councillor J. Sutton

That Administration be directed to extend the Irrevocable Offer date included in the Agreement of Purchase and Sale.

**Motion Carried**

**Report # 1**

A report by Ron Dzombak regarding the Tender Results for the Wigle Park Remediation Project.

Moved by Councillor R. White  
Seconded by Deputy Mayor Bailey

That the report from Ron Dzombak dated September 29, 2009 regarding the tender results for the Wigle Park Remediation Project be received;

And further that Council accept the Consulting Engineer's recommendation to award a contract to the lowest bidder, being Quinlan Inc., for the Wigle Park Remediation Project.

**Motion Carried**

Moved by Councillor R. Fryer  
Seconded by Councillor J. Sutton

That Quinlan Inc. be awarded an \$8,000 contract for continuation of work previously tendered.

**Motion Carried**

**Report # 3**

The tender results for Phase I of the CAF Pathways project will be presented.

Moved by Councillor P. Renaud  
Seconded by Councillor R. White

That Council accept the report from Lou Zarlenga regarding the tender results for the Trails & Pathways Reconstruction Project- Phase I.

And further that Council agree to hold the tender results in abeyance until further review of the prices by the Manager of Public Works.

**Motion Carried**

**BY-LAWS**

**Confirmatory By-Law**

The Clerk noted that the By-law before Council is to be amended to delete paragraph #3 with respect to entering into an agreement for the sale of Ranta Marina.

Moved by Councillor R. White  
Seconded by Councillor R. Pillon

That **By-Law 2009-72** being a By-Law to confirm all resolutions of the Municipal Council be taken as having been read a first, second and third time, be finally passed and the Mayor and the Clerk be authorized to sign same and affix the Corporate Seal thereto, with amendment to the by-law to remove Paragraph 3 with regard to Ranta Marina.


**Motion Carried**

**MOTION TO RISE**

Moved by Councillor J. Sutton  
Seconded by Deputy Mayor Bailey

That Council rise and move to Council In-Camera at 8:20 a.m.

**Motion Carried**

  
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MAYOR - WAYNE HURST

  
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CLERK - BRENDA M. PERCY





Council Report

**PUBLIC WORKS DEPARTMENT**

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**Report To:** Mayor Hurst and Members of Council  
**Date of Meeting:** October 01, 2009  
**Submitted By:** Ron Dzombak, Manager of Recreation Services  
**Prepared By:** Ron Dzombak, Manager of Recreation Services  
**Date of Report:** September 29, 2009  
**Subject:** Wigle Park Remediation Project  
Tender Results

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**RECOMMENDATION:**

That Council accept the report from Ron Dzombak regarding the tender results for the Wigle Park Remediation Project;

And further that Council accept the Consulting Engineer's recommendation to award a contract to the lowest bidder, being Quinlan Inc., for the Wigle Park Remediation Project.

**EXECUTIVE SUMMARY:**

A tender was recently advertised for the Wigle Park Remediation Project, prepared by R.C. Spencer Associates. This report deals with the tender results and attached recommendations of R.C. Spencer Associates. The engineer's estimate for this project is \$118,000.00 plus G.S.T.

**REPORT:**

Tenders closed for this project at 3:00 pm on Friday, September 18, 2009 at the Town of Amherstburg Town Hall. The Town received five (5) tender submissions.

1. Quinlan Inc.	\$107,367.75
2. Fuller Construction Inc.	\$109,030.95
3. Amico Infrastructures Inc.	\$110,880.00
4. SLR Contracting Group Inc.	\$119,982.45
5. Dalla Bona Construction Inc.	\$155,291.33

**Ron Dzombak**  
**Manager of Recreation Services**



**RC SPENCER ASSOCIATES INC.**  
Consulting Engineers

29 September 2009  
File No.: C108-1436

**Corporation of the Town of Amherstburg**  
**271 Sandwich Street South**  
**Amherstburg, Ontario**  
**N9V 2A5**

**Attn: Ms. Pamela Malott**  
**Chief Administrative Officer**

**Re: Wigle Park Remediation**  
**Town of Amherstburg**

Dear Pam:

This is further to our letter of 21 September 2009. On 18 September 2009, tenders were received and opened at Town Hall for the above-noted project. There was one error in one of the tenders. The results in ascending order (with the noted correction) are as follows:

Quinlan Inc.	\$107,367.75
Fuller Construction Inc.	\$109,030.95
Amico Infrastructures Inc.	\$110,880.00
SLR Contracting Group Inc.	\$119,982.45
Dalla Bona Construction Inc.	\$155,291.33

Subsequent to receipt of the tenders, it was determined that the senior baseball diamond must be maintained until June/ July of 2010. This change in scheduling has been reviewed with the low tenderer, Quinlan Inc., who has confirmed that turf growth will still be attained for the area to be seeded (using the proposed irrigation system) even if construction commencement is deferred until early summer next year.

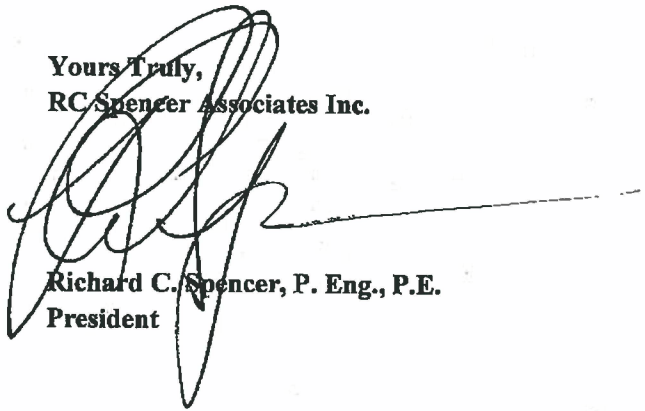
There are additional works to be carried out to maintain the existing baseball diamond in the Park to accommodate the bus layby being constructed as part of the Laird Avenue Reconstruction Project. These works are described on the attached quotation from Quinlan dated today in the amount of \$8,000.00 plus G.S.T.



Thus, the total contract value has been increased to \$115,367.75. Our budget for this tender was \$118,000.00 (see our email of 16 September 2009).

Again, based upon the adjusted low bid submitted by Quinlan Inc., we recommend that their bid in the amount of \$115,367.75 be accepted by the Town and that the Town enter into an agreement with Quinlan Inc. for this project.

Yours Truly,  
RC Spencer Associates Inc.

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Richard C. Spencer, P. Eng., P.E.  
President

cc + encl: Ron Dzombak  
Kristina DiPaolo





## **PUBLIC WORKS DEPARTMENT**

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**Report To:** Mayor Hurst and Members of Council  
**Date of Meeting:** October 1, 2009  
**Submitted By:** Lou Zarlenga, P.Eng., Manager of Public Services  
**Prepared By:** Lou Zarlenga, P.Eng., Manager of Public Services  
**Date of Report:** October 1, 2009  
**File No.:** PWD-RD-09-047  
**Subject:** C.A.F. Project – Trails & Pathways Reconstruction  
Tender Results – Phase I Portion

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### **RECOMMENDATION:**

That Council accept the report from Lou Zarlenga regarding the tender results for the Trails & Pathways Reconstruction Project – Phase I.

And further that Council agree to hold the tender results in abeyance until further review of the prices by the Manager of Public Works.

### **EXECUTIVE SUMMARY:**

A tender was recently advertised for the C.A.F. project – Trails & Pathways Reconstruction – Phase I project, prepared by R.C. Spencer Associates. This report deals with the tender results and attached recommendations of R.C. Spencer Associates. The engineer's estimate for this project is \$825,000.00 plus G.S.T.

### **REPORT:**

Tenders closed for this project at 3:00 p.m. on Wednesday, September 30, 2009 at the Amherstburg Public Works Department. The Town received three (3) tender submissions. A public tender opening was held shortly after 3:00 p.m. with the following results:

1. Coco Paving Inc.	\$2,212,475.00	Plus G.S.T.
2. Amico Infrastructures Inc.	\$2,538,100.00	Plus G.S.T.
3. SLR Contracting Group Inc.	\$2,362,670.00	Plus G.S.T.

The engineering consultant has recommended utilizing the unit prices from the C.A.F. project – Trails & Pathways Reconstruction – Phase II low tenderer, being Amico

Infrastructures Inc. However, the Manager of Public Works feels intense scrutiny and investigation of the tender submission, specifications and drawings is necessary. Accordingly, our recommendation is to hold these tender results in abeyance until further advised by the undersigned.

**FINANCIAL CONSIDERATIONS:**

The cost for the Trails & Pathways Reconstruction – Phase I project is part of the \$11,265,000.00 grant provided by the Community Adjustment Fund. The Phase I budget allocation is \$825,000.00 for construction.



**Lou Zarlenga, P.Eng.  
Manager of Public Services**





**RC SPENCER ASSOCIATES INC.**  
Consulting Engineers

1 October 2009  
File No. 09-37

Town of Amherstburg  
512 Sandwich Street South  
Amherstburg, Ontario  
N9V 3R2

Attention: Mr. Lou Zarlenga, P.Eng  
Manager of Public Services

**Amherstburg Trails Construction - 2009  
Tender Results**

Tender submissions for the construction of trails (South of Simcoe) were received on 30 September 2009 and are listed below:

Contractor	Bid
1. Coco Paving	\$ 2,212,475.00
2. SLR Group	\$2,362,670.00
3. Amico Contracting	\$2,538,100.00

We have checked the Tender submissions and determined that there were no mathematical errors by the Tenderers.

Similar to the Tender results for the north section of the Trails (North of Simcoe), the bid prices exceed the funding available for this work. Again, the cause of the price increase is due to the winter conditions which the contractors anticipate throughout this construction project, which is similar to the Tender results for the north section of the trails.





Our recommendation of 30 September 2009 remains unchanged. We recommend that the Town enter into an agreement with Amico Contracting for the unit rates submitted for the northerly portion of the trails and that work proceed on the perimeter trails and terminate upon reaching the upset limit of the budget allowance.

Yours Truly,  
RC Spencer Associates Inc



David M. Archer, P. Eng.  
Project Manager