

**Minutes Of An Amherstburg Municipal Council Special Meeting Held
In Council Chambers on Tuesday, January 5, 2010 At 9:00 AM**

PRESENT:

Mayor Wayne Hurst
Deputy Mayor Robert Bailey
Councillor R. Pillon
Councillor John Sutton
Councillor Rosa White

ALSO PRESENT:

Pamela Malott, Chief Administrative Officer
Paul Beneteau, Treasurer
Brenda Percy, Manager of Council & Leg. Services/Clerk
Lou Zarlenga, Manager of Public Services

ABSENT:

Councillor R. Fryer

CALL TO ORDER

The Mayor called the meeting to order at 9:08 a.m.

DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

REPORTS OF MUNICIPAL OFFICERS

CAO Pamela Malott advised that there is an additional item included on the agenda with regard to declaring a seat of Councillor vacant.

Report # 1

The tender results for the CAF Project regarding Gateway Features, Kiosks and Landscaping was presented. The report was provided at the meeting and is attached as an Addendum to these minutes.

Moved by Deputy Mayor Bailey
Seconded by Councillor J. Sutton

That Council accept the report from Lou Zarlenga regarding the tender results for the Gateway Features, Kiosks and Landscaping project.

And further that Council accept the Consulting Engineer's recommendation to award the contract to the lowest tenderer, being DeAngelis Construction.

Motion Carried

NEW BUSINESS

CAO Pamela Malott advised that as this is the second meeting of Council since the passing of Councillor Renaud. Administration is requesting that Council declare the seat of Councillor held by Paul Renaud vacant, as required by the Municipal Act.

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

That pursuant to Section 262 of the Municipal Act, 2001, as amended, the office of Councillor held by Paul Renaud be declared vacant.

Motion Carried

BY-LAWS

Confirmatory By-Law

Moved by Deputy Mayor Bailey
Seconded by Councillor R. Pillon

That **By-Law 2010-06** 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.

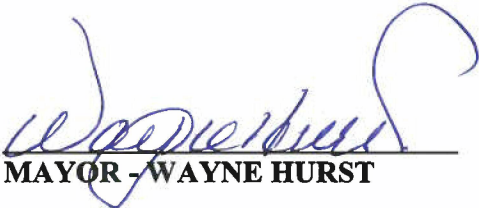
Motion Carried

ADJOURNMENT

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

That Council adjourn at 9:15 a.m. and move to In-Camera session to discuss a Land Acquisition/Disposition matter and Litigation/Potential Litigation matters.

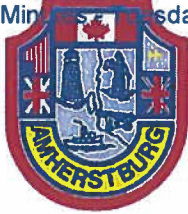
Motion Carried



MAYOR - WAYNE HURST



CLERK - BRENDA M. PERCY



Council Report

PUBLIC WORKS DEPARTMENT

Report To: Mayor Hurst and Members of Council
Date of Meeting: January 5, 2010
Submitted By: Lou Zarlenga, P.Eng., Manager of Public Services
Prepared By: Lou Zarlenga, P.Eng., Manager of Public Services
Date of Report: January 5, 2010
File No.: PWD-RD-09-048
Subject: C.A.F. Project – North & South Gateway Features
Town Signage, Kiosks and Landscaping
Tender Results

RECOMMENDATION:

That Council accept the report from Lou Zarlenga regarding the tender results for the Gateway Features, Kiosks and Landscaping project.

And further that Council accept the Consulting Engineer's recommendation to award the contract to the lowest tenderer, being DeAngelis Construction.

EXECUTIVE SUMMARY:

A tender was recently advertised for the gateway features, kiosks and landscaping portion of the C.A. F. project, prepared by R.C. Spencer Associates. This report deals with the tender results and attached recommendations of R.C. Spencer Associates. The budget allowance for the entire gateways project is \$1,125,000.00.

BACKGROUND AND REPORT:

Tenders closed for this project at 11:00am on Friday, December 18, 2009 at the Amherstburg Public Works Department. The Town received three (3) tender submissions. A public tender opening was held shortly after 1:30pm with the following results:

- | | |
|----------------------------|--------------------------------|
| 1. DeAngelis Construction | \$ 794,777.50 (excluding GST) |
| 2. Bear Construction | \$ 862,244.00 (excluding GST) |
| 3. Dalla Bona Construction | \$1,198,661.00 (excluding GST) |

PROJECT DESCRIPTION:

This project includes providing gateway features at both the north Town entrance (lands east of Sandwich Street and just south of existing Tourist Information Centre), and the south Town entrance (north east corner of Sandwich and Lowes Sideroad). The features will include landscaping, Town of Amherstburg entrance signs including water features, and information kiosks. The north gateway will also include vehicle parking and bus lay-by areas.

FINANCIAL IMPLICATIONS:

The cost for the Gateway Features, Kiosks and Landscaping project is part of the \$11,265,000.00 provided by the Community Adjustment Fund. The allocation for the entire gateways portion is \$1,125,00.00.

Attached please find a letter from the consulting engineer, R.C. Spencer Associates, providing an update on the expenditures for the C.A.F. project thus far.



Lou Zarlenga, P.Eng.
Manager of Public Services



RC SPENCER ASSOCIATES INC.
Consulting Engineers

21 December 2009
File No.: 09-38

**Town of Amherstburg
Public Works Department
512 Sandwich Street
Amherstburg, Ontario
N9V 3R2**

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

**Re: Community Adjustment Fund Project
Amherstburg North and South Gateway
Entrance Features, Kiosks and Landscaping
PWD-RD-09-048**

Dear Lou:

On Friday, 18 December 2009 at 1:30 p.m., tenders were received and opened for the above noted project. The results are as follows in ascending order:

<u>Tenderer</u>	<u>Bid Bond</u>	<u>Tender Amount</u>
DeAngelis Construction	10%	\$ 794,777.50
Bear Construction	10%	\$ 862,244.00
Dalla Bona Construction	10%	\$1,198,661.00

There was one error noted in the Dalla Bona tender which resulted in an increase to their tender in the amount of \$45,360.00. We have reviewed the DeAngelis Construction tender breakdown and find it to be balanced, in order and within the original budget allowances for these works.

We therefore recommend acceptance of the low tender submitted by DeAngelis Construction Inc. in the amount of **\$794,777.50 plus GST** by the Town of Amherstburg.

Yours Truly,
RC Spencer Associates Inc.


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

**Cc: Pamela Malott
Jackie Hubbs**





RC SPENCER ASSOCIATES INC.
Consulting Engineers

23 December 2009
File No.: 09-38

**Town of Amherstburg
Public Works Department
512 Sandwich Street
Amherstburg, Ontario
N9V 3R2**

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

**Re: Community Adjustment Fund Project
Amherstburg North and South Gateway
Entrance Features, Kiosks and Landscaping
PWD-RD-09-048**

Dear Lou:

Further to our recommendation letter of 21 December 2009, we provide the following update of project costs relative to the original CAF Application cost estimates. Please note that there is much "blending" of works such that the tenders that have been received do not coincide exactly with the Application's itemized works. For example, this tender includes kiosks and landscaping which are not in the original budget for the gateways.

<u>CAF Application Items and Budgets</u>		<u>Tenders (including contingencies only)</u>	
1. Laird Avenue	\$4,100,000		\$3,780,382.12
2. Trails	\$1,875,000	Trails A	\$ 300,000.00
		Trails B	\$ 800,000.00
3. Gateways and Sandwich St. Improvements			
a) SWM Pond	\$ 125,000	Pond, drainage, etc.	\$ 438,737.50
b) Entrance Features	\$ 625,000	Entrance features,	
c) Sidewalks, trees & Landscaping	<u>\$ 375,000</u>	kiosks and landscape	<u>\$ 794,777.50</u>
Sub-total:	\$1,125,000		\$1,233,535.00
4. Sidewalks	\$ 325,000		\$ 305,338.00



5. Street Lighting		North	\$1,847,043.25
Replacement, including supply		South	<u>\$1,536,873.50</u>
Sub-Total	\$3,850,000		\$3,383,916.75
6. High School			
Improvements	\$ 350,000		
7. Kiosks	<u>\$ 210,000</u>		_____
TOTAL	\$11,835,000		\$9,803,171.87

To the total for tenders, we must add **\$150,000.00** for the irrigation system and the supply of trees tenders along with the allowance for professional fees of 10% (the original CAF Application provides 15%), bringing the total to date to **\$10,948,489.00**. The remaining budget of **\$886,511.00** is to cover street furniture, streetscaping, installation of trees and plantings, street signage and professional services.

Yours Truly,
RC Spencer Associates Inc.



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

c: Pamela Malott
Jackie Hubbs