

## **COMMUNICATION 134064**

Received from Diane Smithson, Chief Administrative Officer  
Addressed to Committee of the Whole  
Date June 6, 2023  
Topic CAO's Report – Delegated Authority

### **SUMMARY**

The intent of the Delegated Authority By-law is to allow items of a more routine, operational nature to be delegated to Staff to allow for timely decision making and to free up time on Council agendas for more important matters.

### **BACKGROUND**

In May 2018, Council passed its first by-law to delegate authority for some matters to staff in order to eliminate work of a more operational matter at the Council table, free up time at Council and Committee meetings for more important matters and improve timing of decisions. Under Section 23.1 of the Municipal Act, Council is authorized to delegate its powers and duties to a person. As new items are recommended for inclusion on the list, they will be tracked and brought forward about once a year for consideration by Council. The initial by-law has been updated as new items have been added to the By-law with the most recent by-law being passed in 2020. Since then, the by-law has been updated numerous times.

At the time the Delegated Authority By-law was recommended by Staff, it was suggested that a monthly report be made by the CAO to update them on any delegated authority items that had been approved, particularly in the areas of tenders, requests for proposal approvals, and staff hiring. The CAO only prepares reports when there are new items to report on, which may not be on a monthly basis.

### **COMMENT**

The following matters received approval under Delegated Approval since the last report:

#### **STAFFING:**

None at this time.

#### **PROCUREMENT:**

1. \$758,600 was included in the 2023 budget for the roof replacements and coating at the Arena. The scope of work includes completing the replacement of Roofs B, C, K and L and recoating of Roof G. The roof replacement is the Upper Hall Roof along with some smaller adjoining roofs and Recoating of the Arena 1 metal roof. At closing of the Request for Proposal, five (5) bids were received. The submissions were reviewed with Snetsinger Consulting Ltd., the Town's consultant undertaking the building condition assessments of a number of Town facilities. The project was awarded to the low bidder, Flynn Canada Ltd. In the amount of \$606,119.65 plus HST. As the Town receives a 100% rebate on HST on Arena-

related projects, the Town's cost will be \$606,119.65 resulting in budgetary savings of \$152,480.35. It should be noted that some of the surplus funds may be required to address any change orders which may arise throughout the project.

2. The 2023 Capital Budget included \$8,000.00 for the Building Assessment Study for the 3 Francis Street Childcare Centre. In 2021, the Town issued an RFP to undertake building condition assessments of seven (7) Town facilities. At that time, Snetsinger Ltd. was awarded the RFP as they were the lowest of three (3) submissions received at the time. The previous Building Condition reports submitted to the Town included detailed information on replacement/repair work to be performed with pictures documenting the issues. Roof areas have also been measured and include equipment locations. Snetsinger was contacted to provide a quote to complete the Building Assessment Study for 3 Francis Street Childcare Centre. Staff deemed it beneficial to award the contract for the Francis Street facility to Snetsinger Ltd. in the amount of \$7,123.20 (includes the Town's net share of HST) for consistency of reports and as they were the firm who were awarded the competitive RFP process for the Building Condition Assessments in 2021.
3. The approved 2023 capital budget includes \$60,000 allocated for the environmental monitoring program at 7 Beckwith Street (Market Square). Contamination at the site was initially identified by the former property owner, Canadian Tire Corp., who commissioned several environmental assessment studies between 1997 and 2006 which indicated the site being impacted by volatile organic compounds, polycyclic aromatic hydrocarbons, metals and petroleum hydrocarbons. SNC Lavalin has been retained by the Town since 2008 to conduct a series of environmental investigations at the site. In 2016, the Town installed a zero-valent iron permeable reactive barrier to intercept and treat the contaminated groundwater migrating northward. SNC Lavalin submitted a proposal for the continuation of the monitoring program at 7 Beckwith, including spring and fall sampling, with a total cost of \$56,400 plus HST. This work was awarded to SNC Lavalin under single source procurement as it is staff's opinion that their intimate knowledge of the contamination issues on this site will ensure the comprehensive, cost-effective and timely completion of sampling and the environmental investigation at this location.
4. The 2023 Capital Budget for the work involved with the North Facing Window Restoration at the Museum is \$42,000. Browne's Millwork & Joinery submitted a price of \$36,493.00 plus HST for the North Facing Window Restoration on July 18, 2022 and on February 24, 2023, confirmed they would hold their price submitted last year for this year's work. Work will be scheduled for August 2023. After the Town's net share of HST is taken into account the Town's total for this work is \$37,125.28 or \$4,874.72 under budget. It was deemed beneficial by Staff to award this sole-source contract to Browne's Millwork & Joinery for consistency in workmanship and colour consistency of the window frames and trim. In 2022, Browne's Millwork & Joinery was awarded the work to restore the south facing windows at the Museum following a competitive process which resulted in two (2)

submissions. They met all the criteria of the RFP and was the lowest bidder. It should be noted that this is Phase 2 of 3, with the final phase, westerly facing windows to be completed in 2024 at a budget of \$58,000.

5. The approved 2023 capital budget includes \$5,177,745 allocated for pumping station rehabilitations as follows: \$1,377,065 for the Princess Street Pumping Station, \$2,300,680 for the Industrial Ave. Pumping Station, and \$1,500,000 for the Findlay Ave. Pumping Station. The first component of the replacement is the designated substances reports, geotechnical investigation, detailed design and tender. Staff sole-source the Industrial and Findlay Avenue designs and tender and the Princess Street Pumping tender to JL Richards as a sole-source contract in the amount of \$320,686.00 plus HST due to the firm's intimate knowledge of our infrastructure which will ensure the comprehensive, cost-effective and timely design and tender of the afore-mentioned pumping stations. Once the Town's net share of HST is taken into account, it will leave a balance of \$4,846,326.93 for construction of these projects. JLR has been heavily involved with the Town's pump stations most recently tasked with the Princess Street Pumping Station detailed design, Joseph Street Pump Station redesign, tender preparation and contract administration, the Bridge Street Pumping Station redesign, tender preparation and contract administration, and the 2018 Condition Assessment of Pumping Stations to complete multidisciplinary condition assessments of 11 Town sanitary pumping stations and to develop a 25-year Capital Improvement Plan (CIP) for each station (which included detailed analysis of the work required at the Industrial Ave. and Findlay Ave. Pumping Stations).
6. The approved 2023 capital budget includes \$50,000 allocated for the topographic surveys of roads and parking lots for our upcoming rehabilitation projects in our Long-Term Capital Plan. At the closing of the Request for Quotation on May 19, 2023, six (6) firms had submitted a bid. Staff awarded the contract to the low bidder, Annis O'Sullivan Vollebakk in the amount of \$47,172 plus HST. After taking into account the Town's net share of HST, this project came in \$1,997.77 under budget.

OTHER:

### **FINANCIAL IMPACT**

There are no additional budget implications associated with these matters other than what is included in Departmental budgets. It should be noted that all tendered items included in this report resulted in savings to the Town.

### **RECOMMENDATION**

THAT Council accepts the CAO's Delegated Authority Report dated June 6, 2023, as information.