



Report to: General Committee

Report Date: February 2, 2009

SUBJECT: Staff Awarded Contracts for the Month of January 2009
PREPARED BY: Alex Moore, Ext. 4711

RECOMMENDATION:

1. THAT the report entitled "Staff Awarded Contracts for the Month of January 2009" be received;
2. And that Staff be authorized and directed to do all things necessary to give effect to this resolution

EXECUTIVE SUMMARY:

Council at its meeting of November 30, 2004 approved By-Law 2004-341, A By-Law Establishing Procurement, Service and Disposal Regulations and Policies. The By-Law delegates authority to staff to award contracts up to a value of \$350,000.00. It also stipulates that a monthly information report be submitted by the Treasurer to the General Committee for all contracts awarded by staff from \$50,000.00 to \$350,000.00.

PURPOSE:

To inform Council of contracts awarded by staff for the Month of January 2009 as per Purchasing By-Law 2004-341 as listed below.

Chief Administrative Officer

Qty.	Award Details	Description
1	Preferred Supplier	• 287-S-08 Executive Search for Fire Chief and Deputy Fire Chief
1	Total	

Community & Fire Services

Qty.	Award Details	Description
2	Lowest priced bidder	• 232-Q-08 Supply and Delivery of Green Bins • 234-Q-08 Supply and Delivery of Blue Boxes
2	Highest Ranked / Lowest Priced Bidder	• 132-R-08 Supply and Delivery of One (1) Air/Light Truck • 195-R-08 Consulting Engineering and Project Management Services for Bridge and Culvert Rehabilitation
1	Preferred supplier	• 036-S-09 Architectural Services for Varley Art Gallery Expansion
5	Total	

Corporate Services

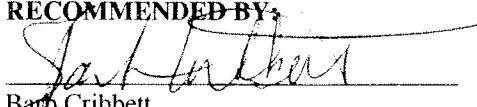
Qty.	Award Details	Description
1	Lowest priced bidder	• 267-Q-08 Printing and Delivery of the 2009 Spring Recreation and Culture Guide
1	Preferred supplier	• 261-S-08 Advertising Services for 2009, Markham Economist and Sun
2	Total	

Development Services

Qty.	Award Details	Description
1	Lowest priced bidder	• 175-Q-08 Landscape Architectural Services for Berczy Community Park South (Final Phase)
3	Preferred supplier	• 040-S-09 Rodick Road Extension from 14 th Avenue to Esna Park Drive – CN Signal Relocation • 083-S-08 Woodbine Bypass • 233-S-08 Hagerman Rail Separation
4	Total	

ATTACHMENT: Copies of the award reports as listed above.

RECOMMENDED BY:


Barb Cribbett,
Treasurer


Andy Taylor,
Commissioner, Corporate Services



STAFF AWARD REPORT

To:	John Livey, Chief Administrative Officer
Re:	287-S-08 Executive Search for Fire Chief and Deputy Fire Chief
Date:	December 19, 2008
Prepared by:	Mona Nazif, Manager, HR Client Services Alex Moore, Manager, Purchasing

RECOMMENDATION

Recommended Supplier	Ray & Berndtson (Preferred Supplier)	
Current Budget Available	\$ 255,340.00	200-201-5820 Recruitment Advertisement (2009)
Less cost of award	\$ 57,750.00	Inclusive of Administration Fee and Exclusive of GST*
Budget Remaining after this award	\$ 197,950.00	

*The award is subject to the approval of the 2009 operating budget by Council.

THAT the tendering process be waived in accordance with Purchasing By-Law 2004-341, Part II, Section 7 (1) (h) "where it is necessary or in the best interests of the Town to acquire Consulting and Professional Services from a preferred supplier or from a supplier who has a proven track record with the Town in terms of pricing, quality and service. "

PURPOSE

To obtain approval for the award of an executive search firm to handle the senior searches for the Town's Fire Chief and Deputy Fire Chief Positions.

BACKGROUND

With the recent senior level openings in the Fire Department, staff is recommending that Ray & Berndtson provide executive search services for the sourcing and selection of the two (2) positions required within the Town's Fire Department (Fire Chief / Deputy Fire Chief).

Ray & Berndtson has a strong record of successfully placing qualified candidates into senior public sector roles. The lead consultant who will be assigned to the Town has an in-depth understanding of the unique features of the municipal arena as well as the challenges and complexities facing the municipal arena. The Town has worked effectively with Ray & Berndtson and specifically the lead consultant with respect to a number of searches including: Senior Financial Analyst (later promoted to Manager), Senior Construction Buyer, Manager of Purchasing, and Director of Corporate Communications.

The proposed cost of \$57,750.00 is a total amount for both searches (\$30,000 Fire Chief and \$25,000 Deputy Fire Chief plus \$2,750 administration charges) and represents a search fee equivalent to 19% - 24% of the low and high ends of the annualized Fire Chief salary and 19% - 22% of the low and high ends of the annualized Deputy Fire Chief salary. The typical market rate for search firms is anywhere between 25% - 30% of the annualized starting salary.

**STAFF AWARD REPORT**

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To:	John Livey, Chief Administrative Officer
Re:	232-Q-08 Supply and Delivery of Green Bins
Date:	January 13, 2009
Prepared by:	Daphne Ross, Supervisor, Administration Tony Casale, Senior Buyer

RECOMMENDATION

Recommended Supplier	Norseman Plastics Ltd. (Lowest Priced Bidder)	
Current Budget Available	\$ 80,000.00	770 773 4132 Green Bins For Resale * (2009)
Less cost of award	\$ 107,568.00	2009 Cost of Award, exclusive of GST *
	<u>\$ 107,568.00</u>	2010 Cost of Award, exclusive of GST *
	\$ 215,136.00	Total Cost of Award, exclusive of GST *
Budget Remaining after this award	(\$ 27,568.00)	**

* Subject to Council approval of the 2009-2010 operating budgets.

**The shortfall of \$27,568.00 will be offset by the expected favourable variance from the sale of the bins. The quantity in this PO is based on the number of Green Bins ordered in 2008 to meet demands of developers and residents.

PURPOSE

To obtain approval to award the contract for the supply and delivery of green bins for the 2009 and 2010 seasons.

BACKGROUND

This contract is to provide green bins to Markham residents to support our Mission Green initiative and to reach our diversion target.

Green Bins are purchased for resale to Markham residents on a cost recovery basis and are sold through the Waste Management Depots and are also delivered to new homes as they are occupied. The cost recovery for the new homes is transferred from a deferred revenue account (031-222-0037) in which payment is received from the developer at the point of registration of the subdivision agreement.

ORIGINAL BID INFORMATION

Advertised	ETN
Bids closed on	November 7, 2008
Number picking up bid documents	7
Number of companies responding to bid	2 *

* Of the five (5) proponents that picked up the bid document but did not bid purchasing staff was advised that these companies did not manufacture / supply the commodity.

ORIGINAL PRICE SUMMARY (Total Price Inclusive of PST and Exclusive of GST):

Description	Quantity	Norseman Plastics Ltd.		Rehrig Pacific Co.	
		Unit Price	Total Price	Unit Price	Total Price
Option 1 One year contract – one time delivery	3,000	\$ 14.45	\$ 46,818.00	\$ 14.60	\$ 47,304.00
Option 2 One year contract – quarterly deliveries	3,000	\$ 14.75	\$ 47,790.00	No Bid	
Option 3 Two year contract – one time delivery (3,000 per annum)	6,000	\$ 14.45	\$ 93,636.00	No Bid	
Option 4 Two year contract – quarterly deliveries (3,000 per annum)	6,000	\$ 14.75	\$ 95,580.00	No Bid	

DISCUSSIONS

Following the closing of the quotation, it was discovered that the original quantities were underestimated. Based on feedback from the Waste Management Department, staff proceeded with a post bid addendum requesting pricing based on two additional options: One year contract with one time delivery of 8,000 bins and a one year contract of 8,000 bins with quarterly deliveries.

POST BID ADDENDUM SUBMISSION

Advertised	By Invitation (Two bidders only)
Bids closed on	December 10, 2008
Number picking up bid documents	2
Number of companies responding to bid	1 *

*One bidder (Rehrig Pacific Co.) did not submit a bid on time for the post bid-addendum and therefore, the price received on the original submission of \$14.60 per unit is used for price evaluation.

POST BID ADDENDUM PRICE SUMMARY (Total Price Inclusive of PST and Exclusive of GST)

Description	Quantity	Norseman Plastics Ltd.	
		Unit Price	Total Price
Option 1 – One year contract – one time delivery	8,000	\$ 12.45	\$ 107,568.00 *
Option 2 – One year contract – quarterly deliveries	8,000	\$ 12.95	\$ 111,888.00

Based on feedback from the waste management department, staff contacted the low bidder and obtained pricing on a two year award with a one time delivery of 8,000 units per annum.

TWO YEAR PRICE SUMMARY (Total Price Inclusive of PST and Exclusive of GST)

Description	Quantity	Norseman Plastics Ltd.	
		Unit Price	Total Price
Two year contract – one time delivery (2009-2010) (8,000 units per year)	16,000	\$ 12.45	\$ 215,136.00 *

* Based on availability of space at 8100 Warden Avenue.

Note: As compared to the previous pricing (2008) this contract represents a price decrease of \$2.16 per unit (14.78%), which reflects the ability to store the products at 8100 Warden Avenue with one (1) delivery and the market price for oil at the present time.

FINANCIAL CONSIDERATIONS: 2009 Net Revenue from the Sale of Green Bins

Containers to be sold on a Cost Recovery Basis

Green bins will be sold for \$18.00 each, including tax. The revenue from the sale of the containers offsets the cost of their purchase. The table below outlines the net revenue from the sale of 7,200 Green Bins. The figures are based on selling 90% of the 8,000 purchased Green Bins. The remaining 10% of the Green Bins will be provided to residents free of charge as replacements for broken Green Bins. The Town then recovers half of the costs from the product warranty. Overall, the Town absorbs the cost of about 10% of all Green Bins purchased.

The 2009 estimated revenues are as follows: 90% of 8,000 Green Bins * \$16.67 (\$18 less 8% PST) = \$120,024.00

	Account	2009 Proposed Budget	2009 Award Cost	2009 Balance
Expense	Green Bins 770-773-4132	\$80,000.00	107,568.00	(27,568.00)
Revenue	Green Bins 770-773-9164	\$(80,000.00)	(120,024.00)	40,024.00
	Net Revenue	0.00	(12,456.00)	12,456.00

An inventory system is in place to track the sale of the bins. Staff will perform an annual inventory reconciliation of all types of bins at year end. All unsold bins will be carried forward as inventory to be sold in 2010.

Similar to the chart above, it is expected that in 2010 there will also be a favourable balance in revenues to offset the shortfall from the purchase of bins.



STAFF AWARD REPORT

To:	Brenda Librecz, Commissioner, Community and Fire Services
Re:	234-Q-08 Supply and Delivery of Blue Boxes
Date:	January 6, 2009
Prepared by:	Daphne Ross, Supervisor, Administration

RECOMMENDATION

Recommended Supplier	Norseman Plastics Ltd. (Lowest Priced Bidder)	
Current Budget and Account #	\$ 49,835.00	770 772 4131 Blue Boxes For Resale*
Less cost of award	\$ 41,904.00	2009 Exclusive of GST *
	\$ 41,904.00	2010 Exclusive of GST *
	\$ 83,808.00	Total Cost of Award *
Budget Remaining after this award	\$ 7,931.00	**

* Subject to Council approval of the 2009 and 2010 operating budgets.

**The balance remaining of \$7,931 will be used for future purchases of blue boxes in 2009 as needed.

PURPOSE

To obtain approval to award the contract for the supply and delivery of 16,000 blue recycling boxes (8,000 per year) for 2009 and 2010.

BACKGROUND

Blue Boxes are purchased by the Waste Management department for resale to Markham residents on a cost recovery basis. Residents can purchase new blue boxes at the Recycling Depots, Community Centers and Civic Center. In addition, pre paid blue boxes are delivered to all new homes. The cost recovery for the new development is transferred from a deferred revenue account (031-222-0037) in which payment is received from the developer at the point of registration of the subdivision agreement.

BID INFORMATION:

Advertised	ETN
Bids closed on	November 7, 2008
Number picking up bid documents	8
Number of companies responding to bid	3

PRICE SUMMARY:

Supplier	Price inclusive of PST and exclusive of GST
Norseman Plastics Ltd.	\$ 83,808.00
Busch Systems International Inc.	\$ 99,187.20
Nu-Tech Plastics Moulding Inc.	\$ 103,680.00

FINANCIAL CONSIDERATIONS:

As compared to the 2007 price for blue boxes (\$5.00 per unit) this contract represents a savings of \$2,400.00 over 2009/10 period (\$4.85 x 16,000 units) or \$0.15 per unit.



STAFF AWARD REPORT

To:	John Livey, Chief Administrative Officer
Re:	132-R-08 Supply and Delivery of One (1) Air/Light Truck
Date:	December 22, 2008
Prepared by:	Laurie Canning, Manager Fleet and Supplies Patti Malone, Senior Buyer

RECOMMENDATION:

Recommended Supplier	Dependable Emergency Vehicles (highest ranked/lowest priced bidder)	
Current Budget Available for Award	\$ 300,000.00	67-5350-8005-005 Air/Light Vehicle
Less cost of award	\$ 278,900.00	Inclusive of PST and excluding GST
Budget Remaining after this award	\$ 21,100.00	*

*Out of the balance remaining, \$6,600.00 will be used for a radio for the vehicle and \$3,000.00 will be used for Markhamization. The remaining balance of \$11,500.00 will be returned to original funding source.

PURPOSE:

To obtain approval to award the contract for the supply and delivery of one (1) air/light truck.

BACKGROUND:

The Request for Proposal was released for the air/light truck requirement to ensure a cross section of manufacturers had the opportunity to supply a quotation for this vehicle and not have one specific vehicle as the requirement.

The air/light truck is required to provide mobile lighting as well as the ability to refill air cylinders on scene as opposed to transporting them back to the station for the fire fighters.

Staff has confirmed that the purchase of an air/light truck with this compressor on the vehicle will eliminate the purchase requirement (Approx \$75,000) of an air compressor to a fixed site installation in a future fire station

BID INFORMATION:

Advertised	ETN (Electronic Tendering Network)
Bids closed on	October 17, 2008
Number picking up bid documents	6
Number responding to bid	3

PROPOSAL EVALUATION:

The evaluation team was comprised of staff from the Fleet and Fire Department with Purchasing acting as a facilitator. The evaluation was based on pre-established evaluation criteria as listed in the Request for Proposal: 30% price, 30% vendor evaluation, and 40% equipment and vehicle evaluation – demonstration unit totaling 100% with resulting scores as follows:

Consulting Firm	Score (out of 100)	Rank Results
Dependable Emergency Vehicles.	81.9	1
Safetek Emergency Vehicles	77.59	2
PK Welding and Fabricators Inc.	76.25	3

Dependable Emergency Vehicles is the highest ranked and lowest priced bidder. All three bidders supplied comparable vehicles. However, Dependable price was 20% less than the 2nd low bidder.



STAFF AWARD REPORT

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To:	John Livey, Chief Administrative Officer
Re:	#195-R-08 Consulting Engineering and Project Management Services for Bridge and Culvert Rehabilitation
Date:	January 9, 2009
Prepared by:	Phoebe Fu, Manager, Capital RoW Patti Malone, Senior Buyer

RECOMMENDATION

Recommended Supplier	Planmac Inc. (Highest Ranked/Lowest Priced Bidder)	
Current Budget Available	\$ 277,462.00 (a) \$ 824,700.00 (a1)	058-6150-8366-005 Structure Detail Design for 2009 Construction 2009 Capital Projects 9227 and 9234
Less cost of award	\$ 35,610.00 \$ 47,275.00 \$ 8,288.00 \$ 91,173.00 (b)	Detailed Condition Survey / Preliminary Design / Cost Estimate Detail Design / Construction Tender (2009)* Contingency allowance @ 10% Sub-total Award
	\$ 24,000.00 (b1) \$ 115,173.00	Contract Administration / Construction Inspection (2009)* Total Cost of Award
Budget Remaining after this award	\$ 186,289.00 (c) \$ 800,700.00 (c1)	058-6150-8366-005 (a - b) = c ** 2009 Capital Projects 9227 and 9234 (a1 - b1) = c1 ***

* The release of a Purchase order for Detail Design / Construction Tender & Contract Administration / Construction Inspection is contingent on consultant successful completion of preliminary design and Council's approval of the construction budget in 2009 (Project # 9227 & 9234).

** Upon payment of final invoices, the budget remaining in the amount of \$186,289.00 will be returned to the original funding source. Account # 058-6150-8366-005 budgeted for a pedestrian bridge and various storm sewer outfalls. However, these two components are no longer required as the pedestrian bridge will be repaired by operations under routine maintenance and the outfalls are deferred to 2010, at which time, another budget request will be made.

*** Upon payment of final invoices, the budget remaining in the amount of \$800,700 will go to construction of the culverts.

Note: The estimate for the Detailed Design (\$47,275.00) is based on a \$945,500.00 construction cost (i.e. 5% of the construction value) and the Contract Administration / Construction Inspection cost is based on a two (2) month estimate (\$12,000/month).

PURPOSE

To obtain approval to award the contract for Consulting Engineering and Project Management Services for Bridge and Culvert Rehabilitation.

BACKGROUND

According to the Guideline of MTO, the bridge and culverts should be inspected every two years to identify the maintenance needs and thus protect and prolong the life of the structures. Since 2004 ToM has undertaken regular inspection of the structures.

As a part of inspection program in 2006, the consultant retained by the Town inspected 13 bridges, 41 culverts and 26 pedestrian bridges. After the consultant inspection it was recommended that 2 bridges, 5 culverts and 4 pedestrian bridges be repaired. However, a subsequent evaluation of the structures by Asset Management Staff (structure inspection report 2007) reduced the number of structures to one bridge and five culverts.

Staff thereafter prepared a Request for Proposal to secure a consulting team to carry out the detailed condition survey and preliminary design, the detailed design and the contract administration (CA).

195-R-08: Consulting Engineering and Project Management Services for Bridge and Culvert Rehabilitation

BID INFORMATION

Advertised	ETN
Bids closed on	September 26, 2008
Number of bidders who picked up	10
Number of companies responding to bid	6

PROPOSAL EVALUATION

The Evaluation Team for this RFP was comprised of staff from the following departments: Engineering and Asset Management, with Purchasing acting as the facilitator.

The proposals were evaluated based on pre-established evaluation criteria as listed in the RFP: 20% past experience of consulting firm; 20% qualifications of the lead consultant and project team; 30% project delivery and 30% price totaling 100%. The rank results are listed in the following table:

Consultants	Total Score	Rank
Planmac Inc.	83.69	1
GD Jewell Engineering	79.69	2
Tottem Sims Hubbici	65.00	3
Trow Associated Inc.	57.00	4
Halcrow Yolles	48.88	5
MMM Group Ltd.	41.00	6

Note: The pricing levels are not indicated as they may reveal confidential technical or commercial information about the proponents. However, the prices quoted ranged from \$106,885 (Planmac Inc.) to \$230,599 approx. (based on a \$945, 500.00 construction cost and two (2) month Contract Administration / Construction Inspection requirement.

The evaluation confirmed Planmac Inc. to be the highest ranked/lowest priced bidder in combined technical and financial scoring. Planmac Inc. has previous background in projects of a similar scope and size as well as a good understanding of the project deliverables, key issues and challenges.

Staff have verified Planmac's submission to meet all the requirements of the Request for Proposal and is confident that they will meet, if not exceed, town expectations and standards.



STAFF AWARD REPORT

To:	John Livey, Chief Administrative Officer
Re:	036-S-09 Architectural Services for Varley Art Gallery Expansion
Date:	January 19, 2009
Prepared by:	Michael Shatil, Manager, Facilities Alex Moore, Manager, Purchasing

RECOMMENDATION

Recommended Supplier	Jerome Markson Architect Inc. (Preferred Supplier)	
Budget Available	\$ 305,000.00	075-5350-9098-005 Component within budget for fees & internal costs including Architect and project mgmt cost *
Less cost of award	\$ 185,000.00	Inclusive of PST, Exclusive of GST *
Budget Remaining after this award	\$ 120,000.00	**

* Subject to Council approval of the 2009 capital budget.

** The remaining balance of \$120,000 shall be used for Project Management fees, LEED consultant (If required) and the landscape architectural services as budgeted for within the \$305,000.

Staff further recommends:

THAT the tendering process be waived in accordance with Purchasing By-Law 2004-341, Part II, Section 7 Non Competitive Procurement, item 1 (h) which states "where it necessary or in the best interests of the Town to acquire Consulting and Professional Services from a preferred supplier or from a supplier who has a proven track record with the Town in terms of pricing, quality and service.

PURPOSE

The purpose of this report is to obtain approval to award Architectural services for the Varley Art Gallery expansion.

BACKGROUND

At the December 16, 2009 Council meeting (Attached), staff presented an update to the Varley Expansion project and the recommendation to negotiate with a preferred supplier, being Jerome Markson, architect for the original Varley Art Gallery construction, for architectural services.

DISCUSSION

Jerome Markson Architect Inc. was the originally building Architect and was retained by the Varley McKay Art Foundation (VMAF) for preliminary study with preliminary structural, mechanical and cost analysis in 2008. Staff received a proposal from Jerome Markson Architect Inc. to act as project director and assisted by Dan Johnson Architect, as well as Ernie Hodgson Architect (who worked on original building) for complete Architectural services.

These services include but not limited to coordination of structural engineers, mechanical engineers, electrical engineers and cost consultant. Additional aspects of this project will be as follows:

- Contract documents including working drawings and details
- Coordinating our engineers' work
- Specifications
- Tendering the project
- Permits as required
- Contract administration of our work and that of our consultants
- Attendance at site meeting as the work progresses
- Review of shop drawings
- Construction review of the structure
- Meetings with Building Committee as our work proceeds
- Commissioning of systems by mechanical engineers as well as their normal design work

FINANCIAL CONSIDERATIONS

Jerome Markson Architect Inc. originally proposed a \$216,050 fee, which was approximately 11% of construction estimate. As per recommendation through Council, Staff has since negotiated this original proposal from Jerome Markson Architect Inc. to \$185,000 (a reduction of 14% or \$31,050) and now 9% of the estimated construction cost.

**STAFF AWARD REPORT**

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To:	Andy Taylor, Commissioner , Corporate Services
Re:	267-Q-08 Printing and Delivery of the 2009 Spring Recreation and Culture Guide
Date:	January 16, 2009
Prepared by:	Emma Girard-Uffren, Production & Quality Coordinator

RECOMMENDATION

Recommended Supplier	York Region Printing (Lowest Qualified Priced Supplier)	
Current Budget Available	\$ 222,530.00	795 796 5880 Print Mat-Rec Guide (2009) *
Less cost of award	\$ 56,160.00	Inclusive of PST, exclusive of GST*
Budget Remaining after this award	\$ 166,370.00	**

* Subject to Council approval of the 2009 Operating Budget.

**The remaining balance of \$166,370.00 will be used for other print work as budgeted for in the 2009 budget submission.

PURPOSE

To obtain approval to award the contract for the printing and delivery of 91,000 copies of the 2009 Spring Recreation Guide.

BACKGROUND

Historically, the Town prints 4 guides per year (one per season) and distributes each seasonal guide to over 75,000 residents and provides an additional 16,000 copies for pick up at various Town facilities. Each guide provides residents with information on all recreational and cultural programming offered by the Town.

BID INFORMATION

Advertised	Electronic Tender Network
Bids closed on	December 10, 2008
Number picking up bid documents	10
Number responding to bid	4 *

*Of the proponents that picked up the bid document but did not submit a bid one (1) supplier advised that they could not meet the requirements as outlined in the bid document and three (3) suppliers did not have a print shop located within the GTA as identified in the bid document which is necessary to accommodate multiple press checks by staff.

PRICE SUMMARY

Supplier	Price, Inclusive of PST and exclusive of GST
Sun Printing House Ltd.	\$ 72,865.44
Canmark Communications	\$ 80,438.40

*Two bidders were disqualified for failing to comply with the mandatory requirements. As an environmental leader, the Town of Markham is committed to using FSC certified paper. One of the disqualified vendors indicated that the paper stock was not FSC certified paper. The other vendor advised that the paper was not 35lb newsprint with 80 brightness.

DISCUSSIONS

Following the closing of the quotation, staff was advised that the paper stock specified in the bid document was almost double in cost and many suppliers had difficulty obtaining this paper stock. Based on feedback from the Corporate Communications department, staff proceeded with a post bid addendum requesting pricing for both FSC and Non FSC certified paper.

POST BID ADDENDUM SUBMISSION

Advertised	By Invitation (4 bidders only)
Bids closed on	January 12, 2009
Number picking up bid documents	4
Number responding to bid	4

POST BID ADDENDUM PRICE SUMMARY (Price, Inclusive of PST and exclusive of GST)

Supplier	FSC Certified Paper with recycled content	Non FSC Certified Paper with recycled content
York Region Printing	\$ 82,049.76	\$ 56,369.52
Canmark Communications	\$ 79,002.00	\$ 66,447.00
Sun Printing House Ltd.	n/a	\$ 72,865.27

One bidder was disqualified as they did not meet the mandatory requirement to utilize paper with recycled content.

Note: Compared to the previous year's pricing for the Spring recreation and culture guide this contract represents a 6.6% increase in price.

ENVIRONMENTAL CONSIDERATIONS

Recreation Guides are printed on paper of which the cover has 10% post consumer recycled content and the text has 40% post consumer and 60% pre-consumer (100% recycled) with no chlorine used in the manufacturing process and using vegetable based inks.

**STAFF AWARD REPORT**

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To:	John Livey, Chief Administrative Officer
Re:	261-S-08 Advertising Services for 2009, Markham Economist and Sun
Date:	January 5, 2009
Prepared by:	Janet Carnegie, Director of Corporate Communications

RECOMMENDATION

Recommended Supplier	York Region Media Group (Preferred Supplier)	
2009 Budget Available	\$146,230.00	795 796 5807 Community Relations*
	\$ 72,100.00	795 796 7899 Living in Markham*
	<u>\$ 22,433.00</u>	795 796 5882 Distribution of Guides*
	\$240,763.00	
Less cost of award	\$240,763.00 Line rate of \$1.38	Inclusive of PST, Exclusive of GST
Budget Remaining after this award	Based on requirements	Upset limit – budget of \$240,763.00

* Subject to Council approval of the 2009 operating budget.

Staff further recommends:

THAT the tendering process be waived in accordance with Purchasing By-Law 2004-341, Part II, Section 7 Non Competitive Procurement, item 1 (b) which states "Where there is only one source of supply for the goods to be purchased;"

PURPOSE

The purpose of this report is to obtain approval to award the contract for the 2009 publication of various Town advertisements and notices published in the Markham Economist and Sun and the Thornhill Liberal.

BACKGROUND

The Town of Markham has been utilizing the services of the Markham Economist & Sun and the Thornhill Liberal for more than 12 years. These publications provide the Town with several services including: publication of a weekly Town Page, advertising for Markham's theatre, gallery and museum, distribution of materials (such as the quarterly Recreation and Culture Guide) and publishing community information through the yearly 'Living in Markham' publication.

This contract also provides the same advertising rates for other YRMG publications including the Thornhill/Richmond Hill Liberal and the Aurora/Newmarket Era Banner.

DISCUSSION

Markham Economist and Sun and The Thornhill Liberal are the only weekly English print advertising vehicles for local community notices and the promotion of meetings, events and programs. Staff has negotiated the advertising rates and the details are covered in the Financial Considerations.

FINANCIAL CONSIDERATIONS

York Region Media Group (YRMG) has increased its line rate by \$0.04 per line, effective January 2009. This is the first line rate increase since 2006. In 2008, YRMG indicated that a line rate increase was required for the 2008 season however they did not increase its rate in 2008 due to a circulation increase.

Staff has confirmed that other advertisers with the YRMG will also be experiencing a rate increase in 2009.

261-S-08: Advertising Services for 2009, Markham Economist and Sun**FINANCIAL CONSIDERATIONS****Town of Markham Advertising Line Rates**

	2005	2006	2007	2008	2009
Markham/Thornhill circulation Town Page	1.30 (\$2,293.20)	1.34 (\$2,363.76)	\$1.34 (\$2,363.76)	\$1.34 (\$2,363.76)	\$1.38* (\$2,434.32)
Markham only circulation	\$1.28	\$1.32	\$1.32	1.32	\$1.36
Liberal – Full Distribution	\$1.30	\$1.34	\$1.34	1.34	\$1.38
Era/Banner – Full Distribution	\$1.30	\$1.34	\$1.34	1.34	\$1.38

*The general line rate for bulk buys of 100,000 lines or more in the Markham Economist and Sun is \$2.04, on average for a new account. Town staff has negotiated a line rate of 1.38 for the 2009 season.

Note: Calculations for line rates are based on 1,764 lines ($1,764 \times 1.38 = \$2,434.32$).

The advertising rates apply to advertising that may be undertaken by the cultural sites and various departments in YRMG publications, which might arise in 2009 and be project specific. The funding will come from department budgets as needed and the Corporate Communications department will continue to act as the liaison between the client departments and YRMG on advertising.

Staff is reviewing options on how to notify the community about public meetings and programs utilizing other communication mediums in an effort to provide efficiencies. Options could include the frequency and size of advertisements of the current information published on the Town page; incorporation of community notices and electronic 'news flash or news crawl' as part of a dashboard on the Town's website and available through the portal technology; increased electronic notice boards in community centres and libraries where public notices could be published; information might be published as part of the quarterly Recreation and Culture Guide – this could affect the way/cost of publishing Living in Markham and there may be more e-newsletter distributions and/or some notices may only need to be published/distributed in specific areas only.

**STAFF AWARD REPORT**

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To:	John Livey, Chief Administrative Officer
Re:	175-Q-08 Landscape Architectural Services for Berczy Community Park South (Final Phase)
Date:	January 19, 2009
Prepared by:	Linda Irvine, Parks and Open Space Development, Manager Malcolm Hann, Senior Construction Buyer

RECOMMENDATION

Recommended Supplier	Landinc (lowest priced bidder)	
Current Budget Available	\$ 250,700.00	081-5350-8045-005 Berczy Community Park Design
Less cost of award	\$ 68,410.00	Parts A and B, Inclusive of PST , exclusive of GST
	\$ 28,890.00	Part C (Contract Administration)*
	\$ 2,500.00	Surveying allowance
	\$ 9,980.00	Contingency (10%)
	\$ 109,780.00	Total award
	\$ 8,982.00	Internal Management fee (9%)
	\$ 118,762.00	Total Project cost
Budget Remaining after this award	\$ 131,938.00	**

* The award and Purchase Order release for Part C (Contract Administration) is contingent on the approval for construction funding from Council.

** The remaining balance of \$131,938.00 will be returned to the original source of funding.

PURPOSE

To obtain approval to award landscape architectural consulting services for design; working drawings and tender documents; and, contract administration and warranty inspection for Berczy Community Park South (Final Phase).

BACKGROUND

Council approved funding to hire a landscape architect for Berczy Community Park South (Final Phase) in 2008. In late 2008, Council approved funding to install baseball field lighting on an existing field directly north of the final phase. Staff committed to have preparatory design work underway for the final phase of Berczy Park in early 2009 in anticipation of a community information meeting on the park and the new ball field lighting prior to the proposed winter installation of the lights. Hiring of the landscape architect will permit design work to commence immediately.

A Request for Quotation was released to seven (7) qualified landscape architectural firms which the Town selected based on qualifications, experience and past performance on Town projects. The terms of the bid stipulated that the selection of the landscape architect would be based on the total quotation for Part A (Design), Part B (Working Drawings and Contract Documents) and Part C (Contract Administration).

However, since Council has only approved funding for Part A (Design) and Part B (Working Drawings and Contract Documents) at this time, the successful proponent will only be awarded Part A and Part B. Part C (Contract Administration) will be awarded to the successful proponent only when Council approves funding for construction.

BID INFORMATION

Advertised	By invitation (7)
Bids closed on	December 23, 2008
Number picking up bid documents	4
Number responding to bid	4

PRICE SUMMARY

Supplier	Part A Design & Fees	Part B Working Drawings	Part C Contract Administration	Surveying Allowance	Total*
Landinc	\$19,260.00	\$49,150.00	\$28,890.00	\$2,500.00	\$ 99,800.00
JSW	\$ 33,425.00	\$32,154.00	\$31,875.00	\$2,500.00	\$ 99,954.00
Strybos Barron King Ltd.	\$ 24,000.00	\$39,000.00	\$44,000.00	\$2,500.00	\$109,500.00
Stantec Consulting	\$ 29,644.92	\$57,976.56	\$51,624.00	\$2,500.00	\$141,745.48

* The tender document stated that the Bid award would be based on the "Total Quotation" provided for Parts A, B and C.



STAFF AWARD REPORT

To:	John Livey, Chief Administrative Officer
Re:	040-S-09 Rodick Road Extension from 14 th Avenue to Esna Park Drive – CN Signal Relocation
Date:	January 8, 2009
Prepared by:	Simon Hung, Senior Capital Engineer, Engineering

RECOMMENDATION

Sole Supplier	Canadian National Railway Company (CN)	
Current Budget Available	\$ 849,962.00	083-5350-7652-005 Rodick Rd. Extension Phase 2
Less cost of award	\$ 152,700.00	CN signal relocation (Excl. of GST)
	\$ 15,270.00	Contingency (10%)
	\$ 167,970.00	Total Award (Excl. of GST)
	\$ 7,558.65	Engineering Dept. Project Management Fee 4.5 %.
	\$ 175,528.65	Total Project Costs (Excl. of GST)
Budget Remaining after this award	\$ 722,421.35	

*The remaining budget will be used for related work to the Rodick Rd Extension (Phase 2) as budgeted for in account 083-5350-7652-005

PURPOSE

To obtain approval to award the CN signal relocation work to the sole supplier of Canadian National Railway Company.

BACKGROUND

The proposed Rodick Road Extension from 14th Avenue to Esna Park Drive crosses the CN Rail with an overpass. The abutments and part of the wingwalls of the bridge will be constructed inside the CN property to minimize the span and the cost of the deck. During and after the construction of the bridge, the sightline to an existing CN signal system some 300 metres east of the structure will be obstructed. As such, it is necessary to permanently relocate the signal prior to the construction of the bridge. Since the signal belongs to the CN Rail, the work will be done solely by CN and their designated consultant, suppliers and contractor. It is expected the design, order of the material and the physical relocation of the signal will take up to six (6) months to complete. With the Rodick Road Extension schedule to start in Spring/Summer of this year, it is necessary to issue a Purchase Order to CN to commence this work as soon as possible.

Estimated cost:

CN's designated consultant cost	\$	10,000
Material cost	\$	43,845
Labour and Equipment	\$	85,850
10% contingencies for material, labour & equipment	\$	12,970
Total cost for CN	\$	152,665

A copy of the cost estimate from CN is attached.

FINANCIAL CONSIDERATIONS

With the Rodick Road Phase 3 budget exhausted (83-5350-8299-005) and the 2009 budget (Capital Project #9300) not yet approved, budget for the Rodick Road Phase 2 (083-5350-7652-005) will be used to temporary fund this project. Once budget for Rodick Road Phase 3 of 2009 is approved (Capital Project #9300), the total amount for this project will be transferred back to the Rodick Road Phase 2 account.



STAFF AWARD REPORT

To:	John Livey, Chief Administrative Officer
Re:	083-S-08 – Woodbine Bypass
Date:	December 22, 2008
Prepared by:	Tom Kliem, Project Engineer, Capital Works Section, Engineering Department

RECOMMENDATION

Recommended Supplier	Masongsong Engineering Associates Limited and AECOM (Preferred Supplier)	
Current Budget Available	\$ 507,227.71	083-5350-7275-005 Woodbine By-pass
Less cost of award	\$ 85,680.00	Design Fee (Masongsong Engineering and Associates Ltd.)
	\$ 45,000.00	Provisional Fee (Masongsong Engineering and Associates Ltd.)
	\$ 17,700.00	Peer Review (AECOM)
	<u>\$ 148,380.00</u>	Excluding GST (Total Award)
	\$ 5193.30	Internal department management fee @ 3.5%
	\$ 153,573.30	Total project cost (all exclusive of GST)
Budget Remaining after this award	\$ 353,654.41	*

* The remaining balance will be used for other related projects for the Woodbine By-pass.

Staff further recommends: THAT the Request For Proposals process be waived in accordance with Purchasing By-Law 2004-341, Part II, Section 7 (1) - (h) where it necessary or in the best interests of the Town to acquire non-standard items or Consulting and Professional Services from a preferred supplier or from a supplier who has a proven track record with the Town in terms of pricing, quality and service.

PURPOSE

To issue a purchase order to Masongsong Engineering Associates Ltd. (MA) and AECOM to complete the design and peer review of the Woodbine Avenue Phase III and prepare tender documents so that the by-pass can be tendered by February 17, 2009 and constructed (from Elgin Mills to Honda Blvd) by Summer 2009.

BACKGROUND

Honda Canada's opening of their new campus in Fall 2009 requires that the municipal services (sanitary, water) for gas, hydro and utilities be in place and operational by May 1, 2009. The campus also requires extension of Woodbine By-pass from Elgin Mills Road to Honda Blvd by July 31, 2009, which would meet the schedule for the completion of the construction for all of the Woodbine By-pass to Woodbine Avenue.

AECOM (formerly Earthtech) has completed up to 60% of the design for the Woodbine Avenue Bypass in accordance with the Region of York approval process and the approved Region of York Class EA for the road. However, significant changes are required to this design to accommodate the proposed connecting roads for Rice and Vettesse Draft Plan of Subdivisions. Funding for these design changes has only recently been committed by the Rice Group.

The Town has been notified by AECOM that it cannot meet the schedule for the design modification to meet Honda's schedule. The developer's group on their own initiative directed MA to complete the design changes in 2008 to accommodate their draft plan requirements (additional intersections). As the design work completed by MA, has a significant lead time over the current design submitted by AECOM, staff recommend that MA be retained to complete the design, obtain approvals, and tender the project in order to meet Honda's schedule.

Staff therefore, recommends that MA be retained as the preferred supplier at the upset limit of \$130,680.00 (\$85,680.00 (Design Fee) + \$45,000.00 (Provisional Fee) exclusive of GST) that is to be funded from the capital account 083-5350-7275-005 (developer funded). The provisional fee related to detailed design work for any retaining walls or the conversion of structures that may be required depending on the outcome of the property negotiations the Town is currently having for properties required for the by-pass.

As part of accepting MA's submission for this project, the Region of York wants AECOM to complete a peer review of MA's design work. We therefore, recommend the Town retain AECOM at a cost not to exceed \$17,700 to be funded by account number 083-5350-7275-005. AECOM have been involved in the detailed design of the Woodbine Avenue By-pass project since the project started and has experience with the submission, review and tendering process for phases I and II of the project. An adjustment to their original purchase order for the design work will be prepared.



STAFF AWARD REPORT

To:	John Livey, Chief Administrative Officer
Re:	233-S-08 Hagerman Rail Separation
Date:	November 18, 2008
Prepared by:	Alain Cachola, Manager, Capital Administration Malcolm Hann, Senior Construction Buyer

RECOMMENDATION:

Recommended Consultant	Wardrop Engineering Inc and Municipal Engineering Solutions. (preferred supplier)	
Current Budget Available	\$ 190,192.74	083 5350 7256 005 Hagerman Diamond Service Relocate As of October 17, 2008
Less cost of award	\$ 40,000.00	Exclusive of GST, Inclusive of PST (Wardrop)
	\$ 19,400.00	Exclusive of GST, Inclusive of PST (Municipal Engineering Solutions)
	\$ 5,940.00	Contingency allowance at 10%
	\$ 65,340.00	Total cost of award
Budget Remaining after this award	\$ 124,852.74	*

* The balance will be applied to the construction of Hagerman Diamond – Municipal Services Relocation as budgeted for in account 083-5350-7256-005.

“Staff further recommends: THAT the tendering process be waived in accordance with Purchasing By-Law 2004-341, Part II, Section 7 (1) - (h) where it's necessary or in the best interests of the Town to acquire.....from a supplier who has a proven track record with the Town in terms of pricing, quality and service”.

PURPOSE:

The purpose of this report is to obtain approval to retain Wardrop Engineering Inc. and Municipal Engineering Solutions at an upset limit of \$65,340, to finalize the technical, financial and legal aspects of the Hagerman Rail / Rail Separation Project.

BACKGROUND:

In reviewing how to provide project management on the various capital projects, while our Manager of Capital position is vacant, GO Transit's Hagerman Rail/Rail Separation, is one of the most challenging from a technical and financial perspective.

The additional cost being requested by GO Transit (± \$8 million) requires a detailed understanding of the history and positions of all parties on the cost sharing.

A detailed review of AECON's costs to relocate our services (storm, sanitary and water) will have to be undertaken and if a funding agreement can't be achieved it will have to be sent to a 3rd party for mediation.

As the Project Lead (Allan Arbuckle) supervised this project directly and has intimate knowledge of this project, it is in the Town's best interest to retain him and his consulting firm (Wardrop) to continue the negotiations with Go Transit, their consulting team (AGM) and the contractor (AECON). In addition given the magnitude of cost in dispute (\$8 million), John Bourrie of Municipal Engineering Solutions is also recommended to be retained to provide an independent review of AECON's and Wardrop's analysis and recommendations.

Both Allan Arbuckle and John Bourrie will report to the Director of Engineering directly.

Staff are satisfied the proposals reflects comparable consultation hourly costs and provides a work plan to resolve the funding dispute in accordance with the June 2006 Memo of Understanding.

The Director of Engineering will keep the CAO, Commissioner of Development Services and Treasurer updated on the status of negotiations with GO Transit.