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TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON FEBRUARY 3, 2014
FROM:	JOHN BRAAM, P. ENG. MANAGING DIRECTOR ENVIRONMENTAL & ENGINEERING SERVICES AND CITY ENGINEER
SUBJECT:	CONTRACT AWARD – TENDER NO. T13-89 DINGMAN CREEK STORMWATER MANAGEMENT EROSION CONTROL WETLAND FACILITY (ES2682)

RECOMMENDATION

That, on the recommendation of the Managing Director and City Engineer, Environmental and Engineering Services, the following actions **BE TAKEN** with respect to the award of a contract for the Dingman Creek Stormwater Management Erosion Control Wetland Facility construction:

- a) The bid submitted by Ron Murphy Contracting Ltd. at its tendered price of \$4,351,269.22 excluding H.S.T., for the Dingman Creek Stormwater Management Erosion Control Wetland Facility construction contract, **BE ACCEPTED**; it being pointed out that the bid submitted by Ron Murphy Contracting Ltd. was the lowest of ten(10) bids received and meets the City's specifications and requirements in all areas;
- b) The engineering fees for Delcan Corporation (214-1069 Wellington Road South, London Ontario N6E 2H6) **BE ACCEPTED** to carry out the Inspection and General Construction Administration, including geotechnical, archaeological inspections, the monitoring of, existing water well, the post-construction monitoring (\$45,372) and contingency in the total amount of \$410,372, excluding HST, for the Dingman Creek Stormwater Management Erosion Control Wetland Facility, excluding HST noting that this firm completed the engineering design in accordance with Section 15, Clause 15.2(g) of the Procurement of Goods and Services Policy;
- c) the financing for the project **BE APPROVED** in accordance with the "Sources of Financing Report" attached hereto as Appendix "A";
- d) the consulting fees for the project identified in (b), above, **BE IN ACCORDANCE** with the estimate, on file, which are based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers;
- e) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this work;
- f) the approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract with the consultant for the work; and
- g) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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CWC on October 22, 2012 – Appointment of Consulting Services for the Dingman Creek Subwatershed Study Update

CWC on December 19, 2011 – Appointment of Consulting Engineer for Functional and Detailed Design of the Dingman Creek Stormwater Management Erosion Control Wetland Facility (ES2682) – Phase 2

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ETC on October 19, 2009 – Appointment of Consulting Engineer for Functional and Detailed Design of the Dingman Creek Stormwater Management Erosion Control Wetland Facility (ES2682) – Phase 1

ETC on July 10, 2009 – Municipal Class Environmental Assessment Study Recommendations for Proposed Dingman Creek Stormwater Management Erosion Control Wetland Facility

ETC on May 26, 2008, – Appointment of Consulting Engineer for Municipal Class Environmental Assessment Study for a Wetland Facility in the Dingman Creek

ETC on August 22, 2005 – Dingman Creek Subwatershed Study Update: Conclusions and Recommendations.

ETC on February 10, 2003 – Stormwater Management and Drainage Projects ES-2480 Appointment of Consulting Engineer for Subwatershed Study Update for Dingman Creek.

BACKGROUND

Purpose

This report recommends the award of contract No. T13-89 to construct the Dingman Creek Stormwater Management Erosion Control Wetland Facility and to authorize the City’s consultant to carry out additional design, inspection and contract administration and monitoring program necessary to complete and construct the project (location map is shown in Appendix B).

Context

Delcan completed the Dingman Creek Subwatershed Study Update (DCSSU) which was subsequently adopted by City Council in 2005. The DCSSU refined the SWM criteria and environmental targets established by the 1995 Dingman Creek Subwatershed Study to maintain and enhance the functions and features of the water resources, ecological, and Natural Heritage Systems. Among the recommended works was an online erosion control wetland facility. The proposed works are all subject to the requirements of the Municipal Class EA process under the Environmental Assessment Act.

The City of London retained the Delcan Corporation in May 2008 to conduct a Schedule ‘B’ Municipal Class EA study for the Dingman Creek Stormwater Management Erosion Control Wetland (DECW) in accordance with the recommendations and objectives of the Council adopted DCSSU, applicable SWM criteria, and environmental targets. This Municipal Class EA study was completed and accepted by the public and all approval agencies on September 10, 2009 and recommended the erosion control wetland facility as an efficient and cost effective solution to reclaim/remediate the Dingman Creek water resources system, minimize erosion deficiencies, and improve the conveyance and sediment transportation capacity of the creek.

The Dingman Erosion Control Wetland (DECW) serves an area of 17,200 ha with on-going erosion problems in the main channel. When the facility is complete, future development, with additional storage provided off-line, will be able to proceed while maintaining the 1995 conditions in the Creek.

The DECW is the only dedicated facility for erosion control for the Dingman Subwatershed. A number of factors of this project are innovative, which includes the following features:

- this SWM Dingman Wetland is designed to function as a SWM Green Infrastructure (the City’s second SWM Green Infrastructure);
- the wetland functions are intended to be reclaimed and restored which have been lost mostly due to the agricultural practices;
- the extensive geo-morphological work was completed as part of the Class EA and Functional Design to mimic/reproduce the previous conditions;

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- the SWM Wetland will function in concert with the Dingman Creek system as a whole and the performances are optimized which incorporates the extensive and complex SWM modeling; and
- realignment fluvial geomorphic design of 600 m of the Bannister Johnson Drain.

This project supports the Southwest Area Plan and Industrial Land Strategies storm/drainage and SWM erosion control servicing by providing the SWM erosion control storages and improving the Dingman Creek Channel conveyance capacity.

To satisfy the requirements of the MOE's Environmental Compliance Certificate and the UTRCA's Permit for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses as part of securing agency approval for the works, post-construction monitoring was required; the total fees associated with this work are approximately \$45,372.

DISCUSSION

This construction project implemented a pre-qualification process which closed on September 25, 2013 in which the City received a total of twelve (12) responses from various contractors throughout Ontario.

After a thorough review of the documentation received, all twelve (12) qualified contractors were selected based on previous relevant work experience with similar construction projects which allowed them to submit bids for the construction of the Dingman Creek Stormwater Management Erosion Control Wetland Facility.

Tenders for the Dingman Creek Stormwater Management Erosion Control Wetland Facility construction were opened on January 15, 2014. Ten (10) contractors submitted tenders including contingency allowance of \$500,000, excluding H.S.T. as follows:

	CONTRACTOR	TENDER PRICE SUBMITTED*
1.	Ron Murphy Contracting Ltd.	\$4,351,269.22
2.	Bre-Ex Construction Inc.	\$4,580,523.03
3.	AMICO Infrastructure Inc.	\$5,483,404.80
4.	J-AAR Excavating	\$6,143,084.00
5.	Vanrooyen Earthmoving	\$6,495,026.55
6.	Blue-Con Construction	\$6,984,302.80
7.	Van Bree Drainage	\$7,140,889.10
8.	L-82 Construction	\$7,480,584.95
9.	Tervita Corp.	\$7,932,721.00
10.	Dekay Construction	\$9,083,599.78

*Prices include corrections

All tenders were checked by Delcan Corporation. The tender estimate prior to the tender opening was \$5,655,812 (including contingency, excluding H.S.T.).

Total project cost estimated in the SWM Unit Budget is in the amount of \$9.37 M. The total project costs committed to date including construction, land acquisition, all engineering including contract administration and post-construction monitoring identified above are approximately \$6.7 M. This results in a total project savings of approximately \$2.67 M.

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CONCLUSIONS

It is recommended that Ron Murphy Contracting Ltd. be awarded the construction of the Dingman Creek Stormwater Management Erosion Control Wetland Facility contract in the amount of \$4,351,269.22 including contingency, excluding H.S.T. and that the engineering fees of the City's consultant (Delcan Corporation) be increased by \$410,372 including contingency, excluding H.S.T. to carry out any additional design, inspection and contract administration and monitoring program for the project.

The basis for this recommendation is that Delcan Corporation has demonstrated an understanding of the City requirements for this project and has extensive and comprehensive knowledge of the project through the completion of an extensive subwatershed study update (DCSSU) in 2005 and subsequently completed the Dingman Wetland Municipal Class EA in 2008, Functional and Detailed design of the Dingman Creek Stormwater Management Erosion Control Wetland Facility and the current ongoing 2014 Dingman Creek Subwatershed Update under the climate change conditions. Delcan has very significant background knowledge for this area and has a high level of competency as the design consultant and construction administrator for in-stream channel works as demonstrated by their work on the City's Stoney Creek Erosion Control Wetland project completed in 2011. The continued involvement of Delcan Corporation is in the best financial and technical interests of the City.

This recommendation is in accordance with Section 15.2(g) of the Procurement of Goods and Services Policy. The approval of this work will bring the overall consulting assignment to \$1,083,372.

PREPARED BY:	REVIEWED AND CONCURRED BY:
BERTA KRICKER, M. ENG., F.E.C., P.ENG. MANAGER OF STORMWATER MANAGEMENT UNIT	EDWARD SOLDI, P.ENG. DIRECTOR, ROADS AND TRANSPORTATION
RECOMMENDED BY:	
JOHN BRAAM, P.ENG. MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES & CITY ENGINEER	

January 28, 2014

Attach: Appendix "A" – Sources of Financing
 Appendix "B" – Location Map

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