



London
C A N A D A

300 Dufferin Avenue
P.O. Box 5035
London, ON
N6A 4L9

January 17, 2022

Justin Harper
President
HIRA General Contractors Ltd.
63 Gaylord Road
St. Thomas, ON
N5P 3R9

SENT ELECTRONICALLY BY EMAIL

Dear Mr. Harper:

RE: City of London RFT21-121 – Greenway WWTP UV Upgrades

It has come to the attention of the City of London (“City”) that H.I.R.A. Limited has registered as a Plan Taker for the above noted Request for Tender via the Bids and Tenders website.

We wish to draw your attention to the Standard Terms and Conditions included as part of the Request for Tender documents, particularly Item 13.0 Exclusion of Bidders in Litigation. H.I.R.A. Limited has filed a Statement of Claim against the City of London, Superior Court file No. CV19000021120000, as a result of a dispute concerning completion delays and claims for compensation by H.I.R.A. in relation to Tender 17-104. As such, it is the City’s intention to exercise this clause and exclude H.I.R.A. from current and future bidding opportunities so long as litigation continues.

Our staff have concluded that the litigation is likely to affect H.I.R.A.’s ability to work with the City, its consultants and representatives and that the City is likely to incur increased staff and legal costs in the administration of future contracts, including the above noted tender, if it is awarded to H.I.R.A Limited.

Be advised that it is not the City’s intention to enter into a Contract with H.I.R.A. for the above contract or any future construction services until such time as the above file is resolved.

The City will be seeking the direction of Council via a forthcoming public and confidential report to the Civic Works Committee at its next meeting on February 1, 2022. You will be provided with a copy of the public report and further details regarding the upcoming meeting of the Civic Works Committee and you will have the opportunity to make your own submissions at that time.

Once we have Council's instruction to City staff our staff will confirm that direction.

Please don't hesitate to contact the undersigned should you require any clarification with regards to this matter.

Yours very truly,

A handwritten signature in black ink, appearing to read "Scott Mathers", is centered within a light gray rectangular box.

Scott Mathers
Director, Water, Wastewater and Stormwater

cc: Geoffrey P. Belch, Corporation Counsel – City of London