



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF ENGINEERING & INFRASTRUCTURE SERVICES

MISSION STATEMENT: Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.

Author's Name: Todd Hewitt	Report Date: November 29, 2022
Author's Phone: 519 736-3664 ext. 2313	Date to Council: December 12, 2022
Author's E-mail: thewitt@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: Pike Road Drain Improvements and Auxiliary Drain Outlet - Tender Results

1. RECOMMENDATION:

It is recommended that:

1. The tender for the Pike Road Drain Improvements and Auxiliary Drain Outlet **BE AWARDED** to Rudak Excavating Inc. for an amount not to exceed \$1,084,200.00 plus HST, to be funded as outlined in the report from the Manager of Engineering dated November 29th, 2022; and,
2. The Mayor and Clerk **BE AUTHORIZED** to execute an agreement with Rudak Excavating Inc. for the Pike Road Drain Improvements and Auxiliary Drain Outlet.

2. BACKGROUND:

The Pike Road Drain is an existing Municipal Drain that provides drainage benefit to a large watershed of approximately 500 acres of residential lands located to the north of Simcoe Street. Specifically, approximately half of the lands within the "Monopoly" subdivision, along with those on Martin Crescent, Bratt Drive, Hainer Court, Hart Street, and properties on both sides of Simcoe east of Fryer, benefit from the Pike Road Drain. The existing Pike Road Drain generally consists of a buried concrete pipe system with connecting manholes and catchbasins, with its upper end consisting of an open drain between Meloche Road and Richmond Street. The drain runs within private residential lands along the north side of Simcoe Street, extending from its upstream limits at Meloche Road to its outlet into the 2nd Concession Road Drain North at the north-east corner of Fryer Street.

In order to provide drainage relief to those lands downstream, and in accordance with Council's 2015 authorization to allow Administration to utilize a engineering roster to provide services under the Drainage Act, Gerard Rood, P.Eng., of Rood Engineering Inc., was instructed by Administration on November 27th, 2015, to complete a report for improvements to the Pike Road Drain in accordance with Section 78 of the Drainage Act.

Since receiving his instruction, the engineer has performed all of the necessary survey and investigations and has submitted his report for the Pike Road Drain Improvements and Auxiliary Outlet, dated January 26, 2022. At the March 22, 2022 Drainage Board meeting, the drainage report was presented to the Board, and residents were provided the opportunity to speak to their concerns. Council provisionally adopted By-law 2022-031 for the Pike Road Drain Improvements and Auxiliary Outlet at its April 11, 2022 meeting. The Court of Revision took place at the May 17, 2022 Drainage Board meeting, where residents were invited to attend and were provided the opportunity to appeal their assessments. No appeals received, nor were there any residents in attendance. Council approved the Town portion of the funding, completed the 3rd reading and adopted By-Law 2022-031 on July 11, 2022.

The drainage report completed by Gerard Rood, P.Eng. recommends improvements to a portion of the existing Pike Road Drain and the installation of a new, auxiliary drain to be located on the south side of Simcoe Street. The auxiliary drain will provide relief to the upper and lower reaches of the watershed. Manhole connections and roadway crossing culverts will also be provided to join the existing Pike Road Drain on the north side of Simcoe to the new auxiliary drain. The new auxiliary drain, which will consist of buried concrete storm sewer pipes, catch basins, manholes, and a swale to convey overland flow, will be capable of carrying the 1 in 100 year storm event to the open portion of the 2nd Concession Road Drain North behind Ste. Jean Baptiste elementary school. Once completed, the auxiliary drain will intercept flows from the eastern parts of the watershed and divert them to the 2nd Concession Road Drain North, thereby reducing the amount of flow previously taken by the downstream portion of the Pike Road Drain. This will serve to benefit the entire watershed by alleviating existing flooding along Simcoe Street, and lessening the burden on the existing drain thereby increasing its overall level of service. Additionally, the recommended improvements will provide storm water outlet for Mulberry Court, a 26 block residential subdivision comprised of 52 semi-detached townhouses proposed for the north side of Simcoe, west of Martin Crescent. A map of the existing and proposed Pike Road Drain and Auxiliary Outlet has been appended to this report.

3. DISCUSSION:

The Town advertised a Request for Tender (RFT) online for the Pike Road Drain Improvements and Auxiliary Drain Outlet on October 26, 2022 via Bids and Tenders and on the Town's website

Tenders closed for this project at 11:00 a.m. on November 16, 2022. The Town received seven (7) tender submissions that were processed electronically via the Bids and Tenders system.

The tenders were initially processed electronically to ensure there were no mathematical errors or omissions. The tender results are:

<u>Bidder</u>	<u>Tender Amount (excluding HST)</u>
1. Rudak Excavating Inc.	\$1,084,200.00
2. South Shore Contracting of Essex County Inc.	\$1,088,841.00
3. Shearock Construction Group Inc	\$1,120,000.00
4. GIP Paving Inc.	\$1,184,000.00
5. 1752336 Ontario Ltd.	\$1,228,922.00
6. Sterling Ridge Infrastructure Inc	\$1,279,657.00
7. Nevan Construction Inc	\$1,500,920.00

Rood Engineering Inc. is the Consulting Engineer that completed the drainage report and design engineering for this project. They have completed the review of the tender submissions and have recommended that the tender be awarded to the lowest bidder, Rudak Excavating Inc. Administration concurs with this recommendation.

4. RISK ANALYSIS:

Not awarding this work would delay the replacement and improvements to the Drain. When construction is delayed, appeal rights are afforded to affected landowners under Section 58(5) of the Drainage Act which states:

Appeal to Tribunal

58 (5) Where the council does not proceed with reasonable dispatch with the construction of the work after passage of the by-law, a petitioner may appeal to the Tribunal or, where lands used for agricultural purposes are included in the area to be drained, the Minister may refer the matter to the Tribunal, and the Tribunal may direct the council to take such action as the council is authorized to take under this Act and as the Tribunal considers proper. R.S.O. 1990, c. D.17, s. 58 (5); 2006, c. 19, Sched. A, s. 6 (1); 2010, c. 16, Sched. 1, s. 2 (24).

The intention of this section of the Act is to ensure that a landowner's right to sufficient drainage as recommended by the engineer is protected. This section of the Act also helps to mitigate further damage suffered from a lack of drainage.

Under the Drainage Act, the municipality can be held responsible for damages if the improvements are not completed. In consideration of these risks, along with the appeal rights afforded to affected landowners as outlined herein, the recommendation is to proceed with award of the tender.

5. FINANCIAL MATTERS:

Based on the recommended tender and requirements for design engineering/project management services, the financial impact for the project is estimated as follows:

Notes:

Pike Road Drain Improvements and Auxiliary Drain	Budget	Actual (incl. net HST)	Variance (over)/under
Cost:			
Incidentals and Allowances		\$ 418,252	
Construction – Tender Pricing (1)		\$1,103,282	
Total Project Cost	\$1,570,000	\$1,521,534	\$48,466
Funding:			
Town of Amherstburg	\$505,345	\$489,680	\$15,665
County of Essex	\$195,492	\$189,433	\$6,059
Mulberry Court Subdivision	\$260,796	\$252,712	\$8,084
Landowners	\$608,367	\$589,509	\$18,858
Total Project Funding	\$1,570,000	\$1,521,534	\$48,466

1. The recommended construction tender includes a contingency allowance which may be used for any unforeseen expenditures subject to the Town's approval.

6. CONSULTATIONS:

Rood Engineering Inc. was consulted on the report.

7. CONCLUSION:

Administration recommends that the Pike Road Drain Improvements and Auxiliary Drain Outlet be awarded to Rudak Excavating Inc.



Todd Hewitt
Manager of Engineering

Report Approval Details

Document Title:	2022 12 12 - Pike Road Drain Improvements and Auxiliary Drain Outlet- Tender Results.docx
Attachments:	- Rood Letter of Recommendation - Pike Rd Dr Aux Outlet.pdf - Pike Road Drain - Aerial Map.pdf - 2022 07 11 - Pike Road Drain Improvements and Auxiliary Outlet.pdf
Final Approval Date:	Dec 2, 2022

This report and all of its attachments were approved and signed as outlined below:



Antonietta Giofu



Tracy Prince



Valerie Critchley



Kevin Fox