

## **COMMITTEE OF THE WHOLE – NOVEMBER 10, 2009**

### **AWARD OF TENDER T09-003 FREEDOM TRAIL PARK – WARD 1**

#### **Recommendation**

The Commissioner of Community Services, in consultation with the Directors of Parks Development, Purchasing Services, and Reserves and Investments, recommends:

- 1) That T09-003, Freedom Trail Park, be awarded to Rutherford Contracting Ltd. for the amount of \$380,514.50 (excluding G.S.T.); and,
- 2) That funding in capital project PK 6193-08 be increased by \$43,671.74 to be comprised of \$24,646.74 to accommodate the tender shortfall and to permit \$19,025.00 for contingency (5%); and
- 3) That the inclusion of the matter on a public Committee or Council agenda for the additional funding request for Freedom Trail Park is deemed sufficient notice pursuant to Section 2(1)(c) of Bylaw 394-2002; and,
- 4) That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary documents.

#### **Contribution to Sustainability**

The construction of the Freedom Trail Park project will provide a new park facility within a residential neighbourhood. It will encourage physical activity and promote the health and well being of Vaughan residents. The park facility will facilitate walking and activities within the immediate neighbourhood, reducing the need to travel by car to park facilities outside of the core neighbourhood.

#### **Economic Impact**

Capital project PK-6193-08, Freedom Trail Park funding was approved in the 2008 Capital Budget. An annual cost of \$17,515.00 is required to maintain this park once completed and this amount should be added to the 2010 Parks Operations and Forestry base operating budget.

#### **Communications Plan**

Not Applicable.

#### **Purpose**

The purpose of this report is to seek Council approval to award tender T09-003 – Freedom Trail Park.

#### **Background - Analysis and Options**

The project is for the construction of a neighbourhood park at Freedom Trail Park located at 121 Freedom Trail in Ward 1.

The project includes the construction of a junior and senior playground, mini soccer field, neighbourhood level skatepark, a shade structure, asphalt walkways, naturalized and formal plantings, walkway lighting and site furnishings.

Notification of Tender T09-003 was sent to the twelve (12) Pre-qualified contractors. Tenders were closed and publicly opened on Wednesday, October 19, 2009 at 3:30 p.m. Three (3) bid documents were received and the results are as follows:

<b><u>Contractor</u></b>	<b><u>Base Tended Price (excl. GST)</u></b>	<b><u>Provisional Item (excl. GST)</u></b>	<b><u>Total Tended Price (excl. GST)</u></b>
Rutherford Contracting Ltd.	\$380,514.50	n/a	\$380,514.50
Gateman-Milloy Inc.	\$388,158.57	n/a	\$388,158.57
Pine Valley Enterprises Inc.	\$389,994.00	n/a	\$389,994.00

Staff note that, given the total tendered price, the project budget is in a deficit. The total approved capital budget was \$455,300.00. Once Electrical Engineering, Geotechnical Engineering, and Land Surveyor consulting fees, permit fees, play equipment, and reproduction costs are subtracted from the original total budget a total of \$355,867.76 remained for the construction component of the project. As such, an additional amount of \$43,671.74 plus G.S.T. is required to accommodate the tender shortfall and a 5% contingency in order to expedite the project.

### **Relationship to Vaughan Vision 2020 / Strategic Plan**

In consideration of the strategic priorities related to Vaughan Vision 2020, the project will provide:

- STRATEGIC GOAL:  
Service Excellence - Providing service excellence to citizens.
- STRATEGIC OBJECTIVES:  
Pursue Excellence in Service Delivery; and Enhance and Ensure Community Safety, Health and Wellness - To deliver high quality services and to promote health and wellness through design and program.

This report is consistent with the priorities previously set by Council.

### **Regional Implications**

Not Applicable.

### **Conclusion**

The Parks Development and Purchasing Services Departments have reviewed the bid submissions and have determined that the low bid contractor, Rutherford Contracting Ltd. is deemed to meet the requirements of the contract.

Should Council concur with the additional funding request this action would be considered as an amendment to the Capital Budget. Pursuant to the Municipal Act 2001, before amending a budget, a municipality shall give notice of its intention to amend the budget at a Council meeting. Where a capital project has been subject to a public meeting during the adoption of the approved capital budget and where additional funding is required to complete the approved works, inclusion of the matter in a staff report requesting additional funding on a public Committee or Council agenda is deemed to be sufficient notice pursuant to Section 2(1) (c) of By-law 394-2002

Upon award of this tender, this project will commence within ten (10) working days from the Date of Notification of Award and should be completed on or before July 30, 2010 (weather permitting).

### **Attachments**

Not Applicable.

**Report prepared by:**

Mike Kari, Landscape Architectural Technician, Ext. 3202  
Stephanie Snow, Construction Coordinator, Ext. 3210  
Paul Gardner, Director of Parks Development, Ext. 3209

Respectfully submitted,

**Marlon Kallideen**  
Commissioner of Community Services