



**City of Kingston
Report to Council
Report Number 15-390**

To: Mayor and Members of Council
From: Jim Keech, President and CEO, Utilities Kingston
Resource Staff: Mark Van Buren, Director of Engineering
Date of Meeting: October 6, 2015
Subject: Turtle Fencing along Princess Street from Parkway to John Counter Boulevard

Executive Summary:

Two bids were received for Contract F18-EN-2015-07 Turtle Fencing along Princess Street from Parkway to John Counter Boulevard. In accordance with the City's Purchasing Policy, the approval of Council is required when less than three (3) bids are received.

The bids received were in excess of the cost estimates that had been developed for the turtle fencing and turtle nesting area project. Staff is recommending that the budget shortfall be addressed by a reallocation and transfer of funds from the existing and approved Engineering capital budget to in order to provide sufficient funds to complete the project.

Recommendation:

That Council authorize the Mayor and Clerk to enter into a contract (F18-EN-2015-07) in a form satisfactory to the Director of Legal Services with Peninsula Construction Inc., for installation of turtle fencing and the construction of turtle nesting area along Princess Street from Parkway to John Counter Boulevard; and

That budget in the amount of \$55,000 be allocated from the existing approved Engineering capital budget to the Turtle Fencing project, to provide sufficient funds to complete the project.

October 6, 2015

Page 2 of 4

Authorizing Signatures:

ORIGINAL SIGNED BY PRESIDENT & CEO, UTILITIES KINGSTON

Jim Keech, President & CEO, Utilities Kingston

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

Gerard Hunt, Chief Administrative Officer

Consultation with the following Commissioners:

Cynthia Beach, Corporate & Strategic Initiatives Not required

Lanie Hurdle, Community Services Not required

Denis Leger, Transportation, Facilities & Emergency Services Not required

Desiree Kennedy, Chief Financial Officer & City Treasurer

October 6, 2015

Page 3 of 4

Options/Discussion:

On Wednesday, September 2, 2015 two tenders for Contract F18-EN-2015-07 were received as follows (prices exclude HST):

Contractor	Tender Submission (\$)
Peninsula Construction Inc.	\$ 142,481.21
Cruickshank Construction Limited	\$ 177,187.00

Peninsula Construction Inc. is a reputable Contractor and has completed similar contracts in the past.

The cost estimates for the turtle fencing and turtle nesting area provided by the City's consultant were used to establish the overall project budget. The construction estimates were prepared in the absence of any past experience and historical costing for turtle protection projects of this nature in the Kingston area. The bids received were over the construction cost estimates and therefore a budget increase in the amount of \$55,000 is required in order to provide sufficient funds to complete the project as planned and designed.

It should be noted that the original approved funding for the turtle project was based upon a 50/50% cost sharing between the municipality and community fundraising to a total maximum of \$64,200. Current funding for the project includes \$30,600 from municipal funding, \$30,600 from community fundraising and an additional \$59,066 grant from the Ontario Ministry of Natural Environment Species at Risk Stewardship Fund. With the additional proposed funding of \$55,000, the City's portion of this project will total \$85,600, which still represents approximately 50% of the total project value.

Existing Policy/By Law:

The purchasing by-law allows for a tender to be awarded to the lowest bid by staff when three bids have been received. Only two bids were received in this case and for these situations the by-law requires that Council approval be obtained before the work is awarded. Council awards the tender to the lowest bidder unless there is sufficient reason to do otherwise.

Notice Provisions:

Not applicable.

Accessibility Considerations:

Not applicable.

October 6, 2015

Page 4 of 4

Financial Considerations:

Staff recommend \$55,000 be allocated from the existing approved Engineering capital budget to the Turtle Fencing project. This will provide sufficient funds to complete the project as planned and designed.

Contacts:

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Mark Campbell, Construction Manager, Engineering Department, 613-546-4291 ext. 3139

Other City of Kingston Staff Consulted:

Desiree Kennedy, Chief Financial Officer and City Treasurer

Exhibits Attached:

Not applicable.