

2023 Q1 Purchasing Contract Awards

Presented To:	Finance and Administration Committee
Meeting Date:	July 10, 2023
Type:	Managers' Reports
Prepared by:	Kari Bertrand Purchasing
Recommended by:	General Manager of Corporate Services

Report Summary

This report contains detailed information on purchasing contract awards with a value of greater than \$100,000 for the first quarter of 2023 and a recommendation regarding a change to the City's Contract Award reporting requirements.

Resolution

THAT the City of Greater Sudbury approves the recommended changes to the Contract Award Report as outlined in the report entitled "2023 Q1 Purchasing Contract Awards" from the General Manager of Corporate Services, presented at the Finance and Administration Committee meeting on July 10, 2023;

AND THAT the City of Greater Sudbury directs Staff update By-law 2014-1 Purchasing By-Law as recommended in the report.

Relationship to the Strategic Plan, Health Impact Assessment and Community Energy & Emissions Plan (CEEP)

This report supports Council's Strategic Initiative to Demonstrate Innovation and Cost-Effective Service Delivery. It specifically continues the evolution of business planning, financial and accountability reporting systems to support effective communication with taxpayers about the City's service efforts and accomplishments. This report does not have any relationship to the CEEP goals.

Financial Implications

Sufficient funding exists within the previous approved budgets in accordance with the Operating and Capital Budget Policies. Council approved policies for the Operating and Capital Budgets enable staff to reallocate operating budget dollars or obtain funding from the respective Holding Account Reserve (for Capital only) to award tenders when the tendered amount exceeds the budgeted amount. The budget amount is an estimate whereas the tendered amount is the actual cost received by the City through a competitive procurement process.

Background

1. Contract Award Information Report Change Recommendation

In 2014, the <u>City of Greater Sudbury's Purchasing By-Law 2014-1</u> (PBL) was amended to include the following information reporting requirements to Council ("Contract Award Report"):

- 1. Section 8(2): The Agent shall provide regular information reports to Council on the Bid Solicitations, cooperative purchases, Emergency purchases and Revenue Generating Contracts Awarded with a Total Acquisition Cost or revenue of \$100,000 or more.
- 2. Section 26(2): The Authorized Person or the Agent, on behalf of the Authorized Person, shall soon after the purchase as reasonably possible, prepare a written report to Council to advise of the circumstances of the Emergency Purchase if the Total Acquisition Cost is \$100,000 or more.

Purchasing has been providing the Contract Award Report to Council through the Finance and Administration Committee on a quarterly basis.

In 2018, trade agreements added a requirement to publish "award information" for all covered procurements within 72 days of Award on the City's designated tendering website or system. Award information includes the following:

- a) a description of the goods or services procured;
- b) the name and address of the procuring entity;
- c) the name and address of the successful supplier;
- d) the value of the successful tender (Contract Award);
- e) the date of award; and
- f) if Limited Tendering (Non-Competitive Purchase) was used, the conditions and circumstances described in Article 513 that justified its use.

Covered procurements include all Contract Awards that meet the threshold of trade agreements regardless of the procurement method (i.e., open-competitive Bid Solicitation, Non-Competitive Purchase (Emergency, Single Source, Sole Source), purchase from Standing Offer arrangement, cooperative purchase). The lowest trade agreement threshold is currently set at \$121,200 for Goods and Services and \$302,900 for Construction. These values are amended biennial to reflect market conditions. Note that Revenue Generating Contracts are not covered under trade agreements.

In March 2019, shortly after the implementation of the trade agreements, Purchasing fully implemented electronic tendering through bids&tenders. This electronic tendering website is where the City posts all open-competitive Bid Solicitation and Contract Award results, in addition to publishing information on other covered Contract Awards. In the attached Contract Award Report for the first quarter of 2023, a link is provided to the specific bids&tenders page for each Contract Award that further details the procurement process and award information.

In response to the trade agreement requirements, a procedure to collect Contract Award data was put in place. As a result, Purchasing enhanced the Contract Award Report to Council by applying the same Contract Award data required by trade agreements (i.e., Non-Competitive Purchases and purchases from Standing Offer arrangements.

Taking the changes detailed above into consideration, Purchasing recommends the following amendments to the Contract Award Report:

I. Reporting Frequency

Given that timely award information is available publicly on bids&tenders, it is recommended that the frequency of the Contract Award Report change from quarterly to annual with the annual Contract Award Report presented in the first quarter of the following year.

The PBL does not state a frequency in which the current information report is required; therefore, no amendment to the PBL is required for this change.

II. Contract Award Value Threshold

Given the detailed award information available publicly on bids&tenders, it is recommended that the Contract Award value be increased to \$250,000.

This change will require an amendment to the PBL as detailed below:

Section 8(2): Amend as follows:

The Agent shall provide a Contract Award Report to Council listing all Contract Awards and Revenue Generating Contracts with a Total Acquisition Cost or revenue of \$250,000 or greater. This includes Contract Awards resulting from Bid Solicitations, Non-Competitive Purchases, purchases from Standing Offers, cooperative purchases, and Emergency purchases.

III. Contract Award Report Contents

Given the changes to the trade agreement reporting requirements and the previous addition of Contract Award Report to include Non-Competitive and purchases from Standing Offer arrangements, it is recommended that these types of Contract Awards be included in the Contract Award Report.

This change will require an amendment to the PBL as detailed below:

Section 4(1): Add the following definitions:

<u>"Contract Award"</u> means the Award and execution of a Contract by the City and a Supplier resulting from a Bid Solicitations, Non-Competitive Purchases, purchases from a Standing Offer arrangement, cooperative purchases, and Emergency purchases.

"Contract Award Report" means an annual information report provided to Council as required by Section 8(2).

Since the Contract Award Report already details Emergency purchases, it is recommended that Section 26(2) be removed in its entirety.

IV. Budget Information

Given that the budget on the Contract Award Report has not always provided proper context due to the budget containing funds for multiple Contract Awards and the City's Operating and Capital Budget Policies do not require such reporting, it is recommended that the Contract Award Report only contain budget information when the budget is exclusive to the Goods, Services or Construction included in the Contract Award. Budget information will be omitted where the budget is for multiple Contract Awards.

This change does not require an amendment to the PBL.

Should Council accept this reporting recommendation, Purchasing will provide an annual Contract Award Report in the first guarter of 2024 that will include all Contract Awards for 2023.

2. 2023 First Quarter Contract Awards ≥ \$100,000

As required by the City of Greater Sudbury's Purchasing By-Law:

- 1. Section 8(2), regular information reports shall be provided to Council on the Bid Solicitations, cooperative purchases, Emergency purchases and Revenue Generating Contracts Awarded ("Contract Awards") with a Total Acquisition Cost or revenue of \$100,000 or greater.
- 2. Section 26(2), soon after the purchase as reasonably possible, a report to Council is required advising of the circumstances of the Emergency Purchase when greater than \$100,000. Only emergency procurements where budget authorization is not required are included in this report. Other emergencies may be reported separately.

Contract Awards are agreements the city has entered into pursuant to a procurement process listed in Appendix A are administered as per the <u>City's Purchasing By-Law</u>.

Procurement methods utilized by the City to enter into contracts:

- Open-Competitive Methods (Bid Solicitations):
 - Request for Tender (RFT): Procurement method utilized for contracts where the City specifies the requirements, and the lowest compliant Bidder is Awarded the Contract. All Bid prices exclude applicable taxes.
 - Request for Proposal (RFP): Where a Request for Proposal is used, the Award is to the highest scored Proposal based on Best Value, which is defined as the optimal balance of performance and cost determined in accordance with pre-defined evaluation criteria.
- Non-Competitive Purchase (Limited Tendering):
 - Emergency
 - Single Source
 - Sole Source
 - Other:
 - Quotation Procedure in lieu of an open-competitive process due to urgency or market conditions
 - Contracts extended beyond the original Contract Term
 - Contract \$100,000 or greater due to unforeseen circumstances
- Cooperative Contracts through <u>approved Buying Groups</u>
- Contract Award from established Standing Offer arrangement*

*Note that Standing Offers arrangements are not considered Contracts until the City commits to a purchase; therefore, reporting on Standing Offer arrangements are not included in the Contract Award Report, but may information on such Standing Offer arrangements can be found on bids&tenders if a Request for Standing Offer was used to establish the Standing Offer arrangement.

APPENDICIES:

- > APPENDIX A Contract Awards > \$100,000
- > APPENDIX B Amendments to Previous Reporting Periods

EXPLANATION AND LEGEND FOR APPENDICIES:

Contract Value and Details:

Contract Value:

- Excludes applicable taxes.
- o Initial: Represents the Contract value for the initial Contract Term of a multi-year Contract.
- Potential: Represents the potential value of a multi-year Contract that included an estimated value of all allowable Contract extensions.
- Award Date: Date the Contract was executed.

Budget/Procurement Estimate:

- Budget:
 - Identifies the available budget for the Contract. Note that the Budget may include....
 - Operating budgets are presented on an annual basis and are identified as (O).
 - Capital budgets are presented on a project basis and are identified as (C).
 - Housing budgets are identified as (H).
- Procurement Estimate*:
 - Identifies the Total Acquisition Cost (potential value of the entire contract, including option years) and is used to:
 - Determine applicable By-Law and trade agreement requirements for open-competitive procurements.
 - Provide a basis for a value comparison when multiple procurements are funded from the same Budget.
 - Allows for the procurement to account for current market conditions at the time of posting.

Resources Cited

City Council Meeting January 28, 2014 Staff Report: Purchasing By-Law

https://pub-greatersudbury.escribemeetings.com/filestream.ashx?documentid=16944

City Council Meeting September 25, 2018 Staff Report: Purchasing By-Law Amendment

https://pub-greatersudbury.escribemeetings.com/FileStream.ashx?DocumentId=30790

Finance and Administration Committee Meeting March 26, 2019

Staff Report: E-tendering

https://pub-greatersudbury.escribemeetings.com/filestream.ashx?documentid=3664

^{*} This information will only be included where the Contract Award was the result of an open-competitive procurement process

APPENDIX A –Contract Awards ≥ \$100,000 Report Period: January 1 to March 31, 2023

Method RFP	Explanation RFP Results:	& Details Contract Value:	Procurement Estimate
RFP	RFP Results:	Contract Value:	Estimate
RFP	RFP Results:		
KFP		Initial, COCO FOO	Φ00 000(0)
	1. ComPsych (89 Points)	Initial: \$263,520 Potential: \$439,200	\$90,000(O) \$270,000
	2. Canada Life (85 Points)3. Inkblot Technologies Inc. (70 Points)	Award Date: 27/01/2023	
		Contract Term: Multi-year (three-year initial term, plus two, one-year extension options)	
		Published Award Details	
	Explanation:	Contract Value: \$431,878	
Limited			\$3,740,000(C)
•	•	Award Date: 28/01/2023	Note: This budget wil be used for multiple
Source)	Sweeping Services.	Contract Term: One-time	contracts/purchases. N/A
	CFTA Article 513/CETA Article 19.12: 1. (d) if strictly necessary, and for reasons of urgency brought about by events unforeseeable by the procuring entity, the goods or services could not be obtained in time using open tendering.	Published Award Details	
	Tendering (Single	Explanation: Limited Tendering (Single Source) Urgent requirement due to 2023 Bid Prices for Street Sweeping Services. CFTA Article 513/CETA Article 19.12: 1. (d) if strictly necessary, and for reasons of urgency brought about by events unforeseeable by the procuring entity, the goods	Contract Term: Multi-year (three-year initial term, plus two, one-year extension options) Published Award Details Explanation: Contract Term: Multi-year (three-year initial term, plus two, one-year extension options) Published Award Details Contract Value: \$431,878 Urgent requirement due to 2023 Bid Prices for Street Sweeping Services. Contract Value: \$431,878 Award Date: 28/01/2023 Contract Term: One-time CFTA Article 513/CETA Article 19.12: 1. (d) if strictly necessary, and for reasons of urgency brought about by events unforeseeable by the procuring entity, the goods

⁽O) = Operating budgets and are presented on an annual basis (C) = Capital budgets and are presented on a project basis

APPENDIX A −Contract Awards ≥ \$100,000 Report Period: January 1 to March 31, 2023

ISD22-4 Supply, Delivery and Alterations of Safety Clothing and Uniforms for the City of Greater Sudbury Awarded Suppliers: Cintas Canada Ltd. Source Atlantic Ltd.	RFT	 RFT Results: 1. Cintas Canada Ltd. (various unit prices) 2. Source Atlantic Ltd. (various unit prices) Note: Contract Award based on lowest per unit. 	Cintas Canada Ltd. Contract Value: Initial: Approx. \$57,000 Potential: Approx \$95,000 Source Atlantic Ltd. Contract Value: Initial: Approx. \$39,000 Potential: Approx. \$65,000 Award Date: 31/01/2023 Contract Term: Multi-year (three-year initial term, plus two, one-year extension options) Published Award Results	\$124,960(O) \$160,000
ISD22-156 Consultation for College Street Underpass Improvements and St. Anne Road Extension Awarded Supplier: AECOM Canada Ltd.	RFP	RFP Results: 1. AECOM Canada Ltd. (82 Points) 2. R.V. Anderson Associates Ltd. (79 Points) 3. EXP Services Inc. (77 Points)	Contract Value: \$1,368,158 Award Date: 06/02/2023 Contract Term: One-time Published Award Details	\$1,900,000(C) Note: This budget will be used for multiple contracts/purchases. \$1,700,000

⁽O) = Operating budgets and are presented on an annual basis (C) = Capital budgets and are presented on a project basis

APPENDIX A –Contract Awards ≥ \$100,000 Report Period: January 1 to March 31, 2023

PUR21-127		Standing Offer:	Contract Value: \$350,000	
Incontinence Supplies	Contract	-		\$350,000(O)
for Pioneer Manor	Award from	PUR21-127 for Incontinence Supplies for Pioneer	Award Date: 13/02/2023	N/A
(2023)	Standing Offer	Manor.	Contract Term: One-time	
Awarded Supplier:				
Medline Canada			Published Award Details	
Corporation				
ISD22-18		RFT Results:	Contract Value: \$2,001,468	
Wanapitei Water	RFT		, ,	\$2,429,720(C)
Treatment Plant Intake Pumphouse Valves and		 Pro Pipe Construction Inc. (\$2,001,468) Cecchetto & Sons Ltd. (\$2,066,752) 	Award Date: 16/02/2023	\$2,000,000
Piping Upgrades		3. Patrick Mechanical Ltd. (\$2,249,787)	Contract Term: One-time	
pg opg. adoo		4. Bélanger Construction (1981) Inc. (\$2,605,371)	Contract Forms one time	
Awarded Supplier:		(12) (17)	Published Award Details	
Pro Pipe Construction				
Inc.				
GSP23-119		Limited Tendering Explanation:	Contract Value: \$152,939	
Tactical Vehicles (2) for	Limited			\$693,263(C)
Greater Sudbury Police Services	Tendering (Single	Urgent requirement.	Award Date: 16/02/2023	Note: This budget will be used for multiple contracts/purchases.
	Source)	CFTA Article 513/CETA Article 19.12:	Contract Term: One-time	N/A
Awarded Supplier:		1. (d) if strictly necessary, and for reasons of urgency brought about by events unforeseeable by the procuring entity, the goods	B.18.1. 1.0. 1.0.18	
FCA Canada Inc.		or services could not be obtained in time using open tendering.	Published Award Details	
ISD22-80		RFP Results (200 Points):	Contract Value: \$279,956	
DonLita Lift Station	RFP		σοιασο ται.ασο ψ=. σ,σσσ	\$400,000(C)
Environmental		1. AECOM Canada Ltd. (194 Points)	Award Date: 22/02/2023	\$400,000
Assessment and		2. J.L. Richards & Associates Ltd. (187 Points)		
Contract		3. R.V. Anderson Associates Ltd. (174 Points)	Contract Term: One-time	
Administration		4. EXP Services Inc. (167 Points)	Published Award Details	
Services			r ubilistieu Awaiu Detalis	
Awarded Supplier:				
AECOM Canada Ltd.				

⁽O) = Operating budgets and are presented on an annual basis (C) = Capital budgets and are presented on a project basis

FES23-37		Buying Group:	Contract Value: \$108,818	
Support Vehicles for	Cooperative	, ,		\$504,250(C)
Fire Services (Two (2) Trucks)	Purchase	Police Co-operative Purchasing Group (PCPG)	Award Date: 27/02/2023	Note: This budget will be used for multiple contracts/purchases.
•			Contract Term: One-time	contracts/purchases.
Awarded Supplier: Belanger Lincoln Ford			Published Award Data	
CPS23-114		Limited Tendering Explanation and Quotation	Contract Value: \$249,765	
Bucket Boom Truck (Sign Truck)	Limited Tendering	Procedure Results:	Award Date: 03/01/2023	\$3,740,000(C) Note: This budget will be used for multiple
Awardad Suppliari	(Invitational	Quotation Procedure conducted in lieu of Open-	Contract Term: One-time	contracts/purchases.
Awarded Supplier: Altec Industries Ltd.	Procurement)	Competitive Process due to urgency.	Contract Term: One-time	N/A
, moo maadmoo Eta.		CFTA Article 513/CETA Article 19.12: 1. (d) if strictly necessary, and for reasons of urgency brought about by events unforeseeable by the procuring entity, the goods or services could not be obtained in time using open tendering.	Published Award Details	
		 Altec Industries Ltd. (\$249,765) Commercial Truck Equipment Corp. (\$250,253) Cambrian Ford Sales Inc. (\$265,656) 		

⁽O) = Operating budgets and are presented on an annual basis (C) = Capital budgets and are presented on a project basis

APPENDIX A –Contract Awards ≥ \$100,000 Report Period: January 1 to March 31, 2023

CDD23-164 Supply and Delivery of Natural Gas (Greater Sudbury Housing Corporation - GSHC) Awarded Supplier: Enbridge Gas Inc.	Cooperative Purchase	Buying Group: The GSHC is required to participate in the Natural Gas Program Advanced Commodity – Union Northeast.	\$1,748,555 based on estimated usage. Award Date: 01/03/2023 Contract Term: Multi-year (three-year term) Published Award Details	\$593,200(O)(H) N/A
CPS23-94 Debit and Credit Card Processing Services Awarded Supplier: Moneris	Cooperative Purchase	Buying Group: Ontario Educational Collaborative Marketplace	Contract Value: \$190,000 based on estimated usage. Award Date: 07/03/2023 Contract Term: Multi-year (eleven months remaining) Published Award Details	\$190,000(O) N/A
ISD22-5 Road and Street Sweeping Services Awarded Suppliers: Part A Jara Sweeping Part C D. Lafond Contracting Ltd.	RFT	RFT Results: 1. Jara Sweeping Part A - \$2,748,750 Part B - \$1,996,800 2. D. Lafond Contracting Ltd. Part C - \$169,811 3. A & G The Road Cleaners Ltd. Part A - \$2,811,250 Part B - \$1,959,200 Part C - \$264,900	Part A Contract Value: Initial: \$2,748,750 Potential: \$4,581,250 Award Date: 17/03/2023 Contract Term: Multi-year (three-year initial term, plus two, one-year extension options) Part B Not Awarded Part C	\$1,326,316(O) \$2,500,000

⁽O) = Operating budgets and are presented on an annual basis (C) = Capital budgets and are presented on a project basis

RFP

RFP

Report Period: January 1 to March 31, 2023

Initial: \$169,811 **Potential:** \$849,055

Award Date: 17/03/2023

Contract Term:

Multi-year (one-year initial term, plus four, one-year extension options)

Published Award Details

SHO22-196

Design Build Affordable Modular

Housing on Sparks

Street

Awarded Supplier: Buttcon West Ltd.

RFP Results:

1. Buttcon West Ltd. (87 Points)

2. BECC Construction Inc. (85 Points)

3. Centreline Architecture (81 Points)

4. Lua Construction Inc. (Disqualified)

Contract Value: \$6.988.223

Award Date: 17/03/2023

Contract Term: One-time

\$10.800.000(C)

Note: This budget will be used for multiple contracts/purchases.

\$7,300,000

Published Award Details

CPS22-160

Supply and Delivery of

Natural Gas

Awarded Supplier: Direct Energy Business RFP Results:

1. Direct Energy Business (83 Points)

2. Shell Energy North America (Canada) Inc.

(62 Points)

Contract Value:

\$15,740,108 based on

estimated usage.

\$3,148,021(O) \$15,700,000

Award Date: 23/03/2023

Contract Term:

Multi-year (five years)

Published Award Details

⁽O) = Operating budgets and are presented on an annual basis

APPENDIX A –Contract Awards ≥ \$100,000 Report Period: January 1 to March 31, 2023

ENG22-1	DET	RFT Results:	Contract Value: \$3,454,101	¢4.444.000(C)
Road Reconstruction, Struthers Street, Junction Creek to Regent Street	RFT	1. Teranorth Construction & Engineering Ltd. (\$3,454,101) 2. MCA Contracting Ltd. (\$3,574,870)	Award Date: 24/03/2023 Contract Term: One-time	\$4,141,000(C) Note: This budget will be used for multiple contracts/purchases. \$3,841,000
Awarded Supplier: Teranorth Construction & Engineering Ltd.		3. Garson Pipe Contractors (\$3,715,807) 4. Bélanger Construction (1981) Inc. (\$3,757,031) 5. Denis Gratton Construction Ltd. (\$3,987,945)	Published Award Details	\$3, 641,000
AIR23-116 Runway Sweeper	RFT	RFT Results:	Contract Value: \$473,200	\$450,000(C)
		1. Team Eagle Ltd. (\$473,200)	Award Date: 30/03/2023	\$450,000
Awarded Supplier: Team Eagle Ltd.			Contract Term: One-time	
			Published Award Details	

⁽O) = Operating budgets and are presented on an annual basis (C) = Capital budgets and are presented on a project basis

AMENDMENT TO: Q4 (October - December 2022) APPENDIX B – Limited Tendering Contract Awards > \$100,000

Add:

Contract Number/ Description/Awarded Supplier(s)	Procurement Method	Procurement Process Results or Other Explanation	Contract Value & Details	<u>Budget</u> Procurement Estimate
PUR22-116 Ambulances (6) Awarded Supplier:	Limited Tendering (Sole Source)	Limited Tendering Explanation: Council Resolution CC2023-65.	Contract Value: \$1,152,945 Award Date: 09/12/2022	\$1,450,000(C) N/A
Demers Ambulances Manufacturer Inc.		CFTA Article 513/CETA Article 19.12: 1. (b) if the goods or service can be supplied by only a particular supplier and no reasonable alternative or substitute goods or services exist for any of the following reason: (iii) due to absence of competition for technical reasons.	Contract Term: One-time Published Award Details	Note: This Contract Award is for the purchase of three ambulances to be delivered in 2023 and three ambulances to be delivered in 2024.
ISD23-3 User Data Licence Agreement for Land Registry Data Management	Limited Tendering (Sole Source)	Limited Tendering Explanation: Purchasing By-Law Schedule "A" Exemption 5. (11) Ongoing costs for software systems previously acquired.	Contract Value: \$267,720 Award Date: 29/12/2022 Contract Term: Multi-year (five-year term)	\$232,100(O) Note: This budget will be used for multiple contracts/purchases. N/A
Awarded Supplier: Teranet Inc.		CFTA Article 513/CETA Article 19.12: 1. (c) for additional deliveries by the original supplier of goods or services that were not included in the initial procurement, if a change of supplier for such goods or services: (i) cannot be made for economical or technical reasons such as requirements of interchangeability or inoperability with existing equipment, software, services, or installations procured under the initial procurement.	Published Award Details	

⁽O) = Operating budgets and are presented on an annual basis

⁽H) = Housing budgets