

REPORT

TO: MAYOR & MEMBERS OF COUNCIL
FROM: JOSEPH DATTILO, PROJECT ENGINEER
DATE: OCTOBER 11, 2011
SUBJECT: FOSTER AVENUE RECONSTRUCTION - LOCAL IMPROVEMENT

AIM:

To obtain Council approval to award the Foster Avenue Road Construction Project to Piroli Construction, 3850 Dougall Ave., Unit10, Windsor Ontario N9G 1X2.

BACKGROUND:**Foster Avenue Reconstruction**

Foster Avenue is located at the foot of Erie Street South and is adjacent to the marina promenade (see attached Schedule A)

Excerpt from Engineering Report ENG 02-09:

"Foster Avenue can be described as a semi urban cross section, meaning that there is a paved surface (tar & chip treatment), but no curbing or roadside swales, and surface water is directed to other overland flow routes. The Foster Avenue area is currently serviced by municipal water and a sanitary sewer only.

It is the intention of the Municipality to follow our Local Improvement Policy (LIP) for the construction of a new storm sewer and storm connections to each property. The LIP requires that a portion of the costs to construct the storm sewer and curbing would be the responsibility of the adjacent and benefiting property owners. "

In 2009 the Municipality applied to the Ontario Municipal Board (OMB) to approve this project following a resolution of Council:

"That Council authorize administration to give proper notice to affected property owners and to apply to the Ontario Municipal Board for approval to undertake this storm sewer construction and road reconstruction, on Foster Avenue, as a Local Improvement project under Section 8 (formerly Section 5) of the Local Improvement Charges Regulation of the Municipal Act."

The LIP was subsequently approved by the OMB and Council approved funding in the 2011 budget.

Erie South Pump Station Forcemain (F/M)

During 2010 a review of the Erie South Pumping Station (PS) highlighted the need to replace the station itself, and the associated forcemain that carries sanitary sewage from the PS to Seaclyff Drive. This forcemain happens to cross through a portion of Foster Avenue. Council approved expenditure in the 2011 budget to complete the engineering to replace the forcemain, and provide some modifications to the station itself, as a temporary measure, until the final reconstruction of the PS is considered in next year or two. The 2011 budget for the forcemain project was \$200 thousand, with \$100 thousand for engineering and \$100 thousand for partial replacement. In the interim, it was

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reasonable to have Bruce Crozier, our consultant responsible for Foster Avenue, to work with our PS consultant to include a short stretch of forcemain construction in the Foster Avenue contract.

On Thursday September 28th, 2011, seven (7) tenders were received for the Foster Avenue Reconstruction Project (Local Improvement Project approved by the Ontario Municipal Board) with the following results:

Contractor	Amount INC. HST
Piroli Construction 3850 Dougall Ave., Unit 10 Windsor, ON N9G 1X2	\$306,304.58
Major Construction (2010) Ltd. 2393 Walker Rd. Windsor, ON N8W 3P7	\$311,611.52
J.J. Lepera 1755 Sprucewood Ave. LaSalle, ON N9J 1X7	\$316,027.00
D'Amore Construction (2000) Ltd. 3914 North Service Dr. E Windsor, ON N9A 6J3	\$328,749.77
SLR Contracting Group Inc. 6260 Westar, Suite 00 Windsor, ON N9J 3W3	\$339,000.00
Henry Heyink Construction Ltd. 275 Colborne St. Chatham, ON N7M 3M3	\$372,561.00
Sherway Contracting Ltd. 5390 Outer Dr. Windsor, ON N9A 6J3	\$387,509.32

COMMENTS:

Bruce D. Crozier Engineering has confirmed the accuracy of all tenders and no errors were found. However, while analyzing the tenders it was found that an item to supply and install new storm sewer private service connections (PDC) was omitted from the contract documents. These are necessary components of the final outcome of the project and must be installed. Our Consultant has negotiated with the low tender and obtained a unit price of \$150/m. This amount is reasonable and consistent with projects of a similar size and nature. This will result in an additional \$18,645 (Including HST) to the construction contract, making the total value of the contract \$324,949 (including taxes).

Piroli Construction has worked for the Municipality in the recent past (Mill Street Parking Lot 2010) and has performed well.

Should Council approve this contract award to the recommended contractor, construction will begin within two weeks. It is anticipated that the construction would be completed, with the exception of surface asphalt, in five to six weeks. A letter will be sent to each homeowner/resident in advance of the work providing contact and project information, such as parking and garbage collection.

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There will be times during construction when residents will not be able to drive their vehicles into their driveway. Our consultant and contractor will work together with the residents to accommodate their needs with regards to parking as the project progresses.

FINANCIAL IMPACT:

The budget, cost allocation breakdown, and local improvement recoveries for the Foster Avenue Reconstruction Project are best demonstrated in chart form as follows:

Budget Details

	A	B	C	D (B +C)	E	F	G (D-F)
Account	2011 Approved Budget	Contract Price incl. net HST *	Engineering and Other Charges incl. net HST	Total Project Cost	Variance to Budget	Adjusted Local Improvement Recoveries	Total Municipal Project Costs
Roads 2-320-8862-7630	\$190,000	\$162,052	\$25,000	\$187,052	\$2,948	\$9,742	\$177,310
Sewer 2-610-8862-7630	\$155,000	\$117,136	\$29,740	\$146,876	\$8,124	\$84,049	\$62,827
F/M 2-610-8234-7630	\$13,432**	\$13,432	\$0	\$13,432	\$0	\$0	\$13,432
Total	\$358,432	\$292,620	\$54,740	\$347,360	\$11,072	\$93,791	\$253,569

* Includes \$20,000 in Contingency

** Total budget for Forcemain is \$200 thousand. This is a small construction component, included due to opportunity.

Funding Details

	A	B	C	D (B-A+C)
Account	Local Improvement Recoveries Budget	Adjusted Local Improvement Recoveries	Construction cost Variance to Budget	Funding Variance to Municipality
Roads 2-320-8862-7630	\$11,364	\$9,742	\$2,948	\$1,326
Sewer 2-610-8862-7630	\$135,600	\$84,049	\$8,124	-\$43,427
F/M 2-610-8234-7630	\$0	\$0	\$0	\$0
Total	\$146,964	\$93,791	\$11,072	-\$42,101

After the OMB hearing and tender bids received, the recoveries from the Local Improvement portion of the works are projected to reduce from the budget of \$146,964, to \$93,791, a difference of \$53,173 as indicated above. This was a result of higher than anticipated cost portions of the project being borne by the Municipality. However, this amount will be partially offset by a lower than budgeted tender price. As a result, Administration is seeking Council approval for an over expenditure of \$43,427 for the sewer portion of the project. This amount will be reallocated from the 2011 construction portion of the forcemain for the Erie South pumping station. This project will be brought forward again for consideration in 2012.

RECOMMENDATION:

THAT Council award the Foster Avenue Reconstruction contract to Piroli Construction 3850 Dougall Ave., Unit 10 Windsor, ON N9G 1X2, in the amount of \$292,620 (including net HST);

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And THAT the contract is to be charged to accounts: 2-320-8862-7630 Roads (\$162,052), 2-610-8862-7630 Sewers (\$117,136), and 2-610-8234-7630 Erie South Pump Station (\$13,432), all amounts including net HST (ENG 17-11).

And THAT Council approve an over expenditure to the sewer portion of the works in the amount of \$43,427 (including net HST) due to lower projected local improvement recoveries.

Respectfully submitted;

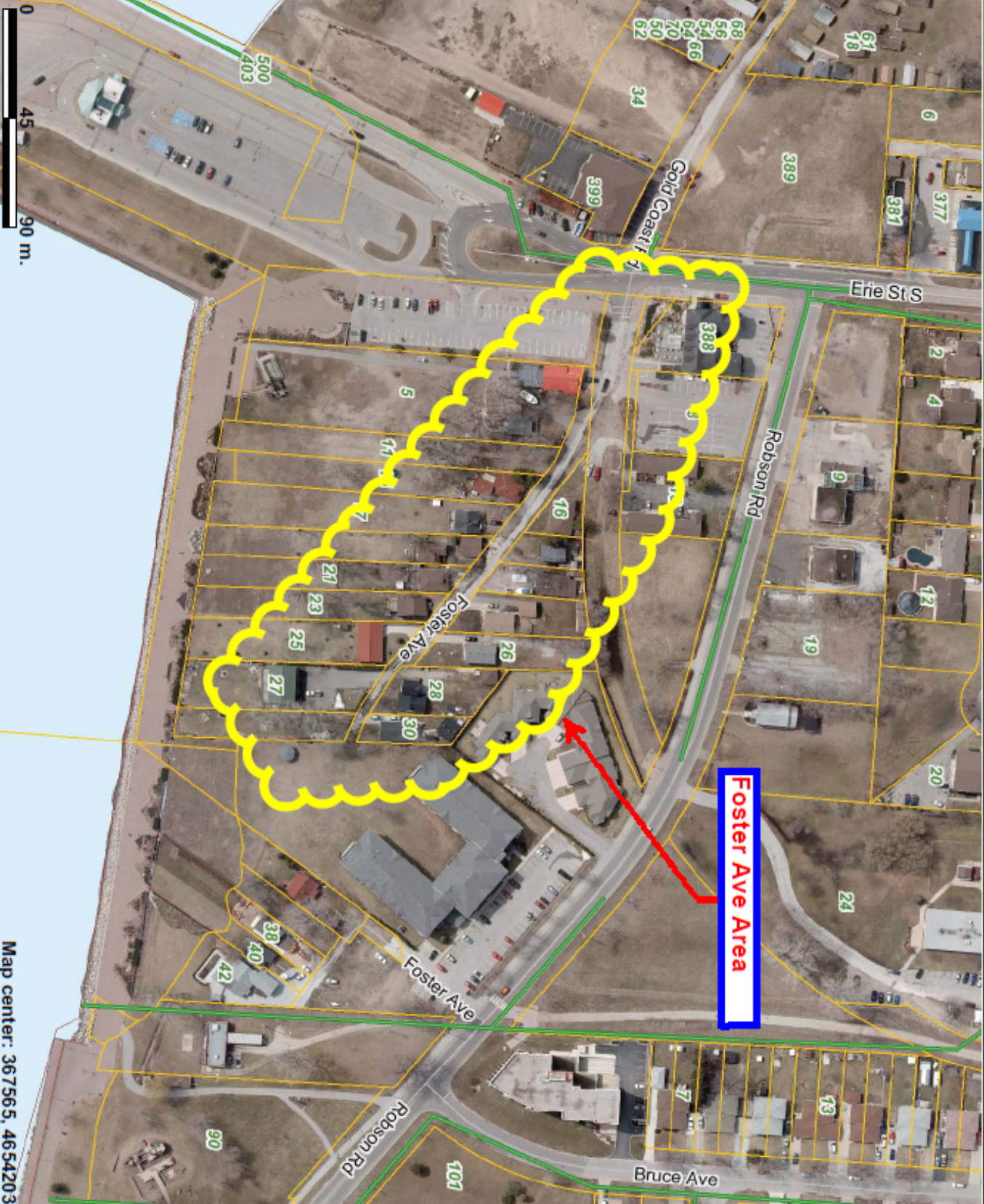
Joseph Dattilo P.Eng.
Project Engineer

Allan Botham, P.Eng.
Manager of Engineering Services

Robert Sharon
Director of Community Services

Encl. Assessment Schedules - revised with tender prices.

Foster Avenue Road Reconstruction - Schedule "A"



Foster Ave Area



Map center: 367565, 4654203



Legend

- Municipalities
- Storm
- Streets
- Leamington Assessment
- Water



Scale: 1:2,511

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.