



## **TOWN OF MINTO**

**DATE:** April 12, 2016

**REPORT TO:** Mayor and Council

**FROM:** Bill White, CAO/Clerk

**SUBJECT:** Agreement for Consulting Services Triton Engineering

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### **STRATEGIC PLAN**

5.5 Pursue, develop and encourage public private partnerships that are fiscally responsible, transparent and mutually beneficial including sponsorships. Establish and maintain appropriate relationships with private business.

5.7 Adopt and maintain fair and transparent procurement policies and by-laws to ensure the Town receives competitive pricing on tenders and proposals, and that local business has equal opportunity to submit bids.

### **BACKGROUND**

In response to a proposal call for consulting engineering services in February Council passed the following resolution at its March 29 meeting:

#### **COW 2016-088**

**That Council receives the report from the C.A.O. Clerk, Treasurer and Public Works Director dated March 24, 2016 regarding Consulting Engineering Services RFP 2016-05, and that the proposal call be awarded to Triton Engineering Services Limited subject to a final agreement coming forward to Council for final approval with a five year term and 90 day cancellation clause.**

A draft agreement was sent to Triton April 7 for review and staff is advised they are satisfied with the applicable terms. There is a by-law on the agenda to authorize signing of the agreement which is summarized as follows:

1. Primary contact Paul Ziegler based out of Harriston office to manage Triton's relationship with the Town of Minto.
2. Contract includes a draft Town policy for engaging consulting engineering advice (similar to legal advice).
3. C.A.O Clerk, Public Works Director or Mayor approval needed for Senior Managers to seek consulting advice.
4. Council to approval all reports and studies needed to manage Town operations and finance.
5. Invoicing through Public Works Director for cost control.
6. Before getting consulting advice staff must assess the situation to ensure conversations with engineering consultants are effective and efficient.
7. Advice on a wide range of municipal legislation may be needed. For Planning Act matters County Planners should be consulted before taking legal advice. For contaminated sites legal advice should be considered with consulting engineering information.
8. Consulting work includes the following:
  - a) Capital project design, review, tendering, project management, and approvals including assistance with grant applications.
  - b) Plan review, evaluation and comment for 20 to 40 applications annually upon request.

- c) Waste water treatment facility advice respecting operation (Palmerston, Harriston, Clifford), capital improvements, approvals as requested and sewage collection system maintenance and improvements upon request.
  - d) Water treatment plant advice respecting operation (Minto Pines, Palmerston, Harriston, Clifford) capital improvements, approvals as requested, and water distribution system maintenance and improvements upon request.
  - e) Rural road, culvert and bridge maintenance and design as needed.
  - f) Drainage Act pertaining to municipal drains; storm water management.
  - g) Facilitating and/or completing of annual bridge and culvert inspections and roads needs study as per MTO Criteria.
  - h) Other duties as may be needed from time to time including structural engineering, qualified persons contaminated sites, traffic, and similar more specialized services.
1. Five year term, 90 day option to cancel, renews from year to year upon expiry to maximum of eight before new RFP required.
  2. Triton may assign work internally as needed to provide advice encouraging use of more junior people where appropriate to help control costs.
  3. Staff to meet with Triton to kick off consulting agreement after which at least one annual report will be given to Council.
  4. Fees are set based on averages quoted in RFP. Triton to engage a consulting engineer to conduct Drainage Act and manage that contract at no cost to Town.
  5. Triton will not charge for any disbursements except for Ministry of Environment application approvals, public notices the Town could have given, and one-time equipment or laboratory fees not normally associated by Triton where agreed to in writing. Mileage, copies, postage, long distance, travel and similar are not chargeable.
  6. Triton saves Town harmless for any work conducted by them on the Town's behalf; as per RFP provides \$5 million comprehensive liability; \$2 million errors and omissions and \$2 million automobile liability within 14 days of contract award.
  7. Triton follows Town customer service goals as outlined in municipal strategic plan.

#### **COMMENTS:**

Staff is confident Minto will be well served by identifying a single consulting engineering firm to represent the Town's interests. Triton has many local staff members and a recent track record of excellence including Harriston Elora Street reconstruction in 2015. With local contacts and office the Town can expect prompt and effective consulting services at a reasonable cost. The fees charged under the agreement are the exact same bid amounts for these services in the RFP. There are no disbursement charges to the Town as spelled out in the agreement except for one-time extraordinary things agreed to in writing.

#### **FINANCIAL CONSIDERATIONS:**

Since 2008 Town engineering expenses ranged between \$280,000 and \$600,000 per year for all services including Drainage Act work. Revenue from development applications, grants, and drain assessments offsets some of the cost. This agreement will ensure better cost control through the Public Works Director and C.A.O. Clerk with

#### **RECOMMENDATION:**

THAT Council receives the report from the C.A.O. Clerk dated April 12, 2016 regarding Agreement for Consulting Services Triton Engineering and considers a by-law in open session authorizing the Mayor and Treasurer Deputy C.A.O to sign the agreement.

Bill White, C.A.O. Clerk