

May 3, 2017

Report To: Mayor and Council

From: Travis Rob, Manager of Operations and Facilities

**RE: Award of Tender 17-OF-05 – Rainy Lake Square**

---

During the weeks of March 23 and 30, 2017 the Town advertised a tender call for the construction of the Rainy Lake Square. Tender ads were also placed at the Winnipeg and Thunder Bay Construction Associations and posted on the online tender site Merx.

The Tender closed on April 11, 2017 where four contractors submitted bids. The received bids can be seen summarized below:

<b>Contractor</b>	<b>Price (HST Included)</b>
RLM Contracting Ltd Thunder Bay, ON	\$2,690,137.46
J&D Penner Ltd. Oak Bluff, MB	\$2,898,466.18
Daryl's Custom Landscapes/Landale Gardens Fort Frances/Thunder Bay, ON	\$3,540,703.70
Manshield Construction Thunder Bay, ON	\$3,765,790.24

The works includes not only the construction of the Rainy Lake Square but the replacement of the brick sidewalk along the 200 block of Scott Street and the block entry sidewalks at the Town of Fort Frances Civic Centre. The submitted bids were reviewed and found to all be compliant and complete, further all bids were received over the allocated budget of the works. The scope of works was then reviewed and some aspects of the jobs were removed from scope to bring the works closer in line with the budget allocations. Further to this, specifications on certain aspects of the works were further reviewed and altered where possible to see additional cost savings. Attached to this report you will find a report from Mr. David Bodnarchuk outlining the works removed and adjusted in an effort to reduce the contract cost. The changes in scope were presented to RLM Contracting in a post tender addendum. All of these changes resulted in revised bid of \$2,214,064.80 whereby \$1,785,272.86 is for the Rainy Lake Square, \$357,993.97 is for the 200 Block of Scott Street and \$70,797.97 is for the Civic Centre sidewalk. Included in this cost is \$84,630.00 for the installation of new trees on Scott Street complete with proper structural surrounds to protect buildings and infrastructure, contingency allowances totalling \$92,000.00, material testing allowance of \$5000.00 and the Town's portion of HST.

Given the allocations in the Town's 2017 Capital budget and the costs that are already committed to these projects the total budget allocation available for the completion of the construction is \$1,735,841.73, the following table outlines the costs per project with the three different project cost options.

<b>OPTION #1 - TOTAL PROJECT</b>							
	Budget Allocation (less committed costs)	RML Revised Bid	Portion of Bonds & Insurance	Contingency	Town's portion HST	Total Cost	Cost Overrun
Rainy Lake Square	\$1,393,830.33	\$1,623,651.01	\$60,744.49	\$70,000.00	\$30,877.36	\$1,785,272.86	\$391,442.53
Civic Centre Sidewalk	\$34,315.35	\$65,159.00	\$2,414.48	\$2,000.00	\$1,224.49	\$70,797.97	\$36,482.62
Scott Street Sidewalk	\$307,696.05	\$322,530.30	\$9,271.95	\$20,000.00	\$6,191.72	\$357,993.97	\$50,297.92
<b>TOTAL PROJECT</b>	<b>\$1,735,841.73</b>	<b>\$2,011,340.31</b>	<b>\$72,430.92</b>	<b>\$92,000.00</b>	<b>\$38,293.57</b>	<b>\$2,214,064.80</b>	<b>\$478,223.07</b>

<b>OPTION #2 - TOTAL PROJECT LESS SCOTT STREET TREES</b>							
	Budget Allocation (less committed costs)	RML Revised Bid	Portion of Bonds & Insurance	Contingency	Town's portion HST	Total Cost	Cost Overrun
Rainy Lake Square	\$1,393,830.33	\$1,623,651.01	\$60,744.49	\$70,000.00	\$30,877.36	\$1,785,272.86	\$391,442.53
Civic Centre Sidewalk	\$34,315.35	\$65,159.00	\$2,414.48	\$2,000.00	\$1,224.49	\$70,797.97	\$36,482.62
Scott Street Sidewalk	\$307,696.05	\$237,900.30	\$9,271.95	\$20,000.00	\$4,702.23	\$271,874.48	<b>-\$35,821.57</b>
<b>TOTAL PROJECT</b>	<b>\$1,735,841.73</b>	<b>\$1,926,710.31</b>	<b>\$72,430.92</b>	<b>\$92,000.00</b>	<b>\$36,804.09</b>	<b>\$2,127,945.32</b>	<b>\$392,103.59</b>

<b>OPTION #3 - TOTAL PROJECT LESS SCOTT STREET TREES WITH WATER INFUSION</b>							
	Budget Allocation (less committed costs)	RML Revised Bid	Portion of Bonds & Insurance	Contingency	Town's portion HST	Total Cost	Cost Overrun
Rainy Lake Square	\$1,393,830.33	\$1,598,896.51	\$59,999.61	\$70,000.00	\$30,428.57	\$1,759,324.69	\$365,494.36
Civic Centre Sidewalk	\$34,315.35	\$65,159.00	\$2,414.48	\$2,000.00	\$1,224.49	\$70,797.97	\$36,482.62
Scott Street Sidewalk	\$307,696.05	\$237,900.30	\$9,271.95	\$20,000.00	\$4,702.23	\$271,874.48	<b>-\$35,821.57</b>
<b>TOTAL PROJECT</b>	<b>\$1,735,841.73</b>	<b>\$1,901,955.81</b>	<b>\$71,686.04</b>	<b>\$92,000.00</b>	<b>\$36,355.30</b>	<b>\$2,101,997.15</b>	<b>\$366,155.42</b>

In discussions with Laurie Lindberg, Treasurer there are some options to deal with the over runs. One option, as depicted above, the water portion of the construction could be funded through the water and sewer reserve funds reducing the totally project cost by \$26,095.81. In 2016 the Town's surplus was \$171,374.00 which is typically invested back into the reserve funds. From this surplus \$170,000.00 can be allocated to this project whereby the remaining cost overrun would be funded from the Corporate Projects Reserve Funds. In addition to this the BIA committed to pay the Town \$10,000.00 per year for a period of 10 years starting in 2017 which could be allocated to paying back a portion of the expense to the Corporate Projects Reserve Fund, see attached report dated March 2, 2016. Also attached to this report is a report from Mr. David Bodnarchuk of Scatliff-Miller-Murray recommending the award of this contract to RLM Contracting Ltd.

The works are scheduled to start ASAP with a completion date for the Rainy Lake Square being August 18, 2017, the Scott Street Sidewalk, September 8, 2017 and the Civic Centre sidewalk being October 2, 2017.

Scatliff-Miller-Murray was approached to provide contract administration services through the project. The additional cost for this service is \$89,770.00 plus applicable HST split over the three projects. Additional funds were allocated in the 2017 Capital Budget for the Rainy Lake Square and are a portion of the budget projections for the Civic Centre and Scott Street Sidewalks. These costs are considered committed costs in the above budget review. Attached to this report is the proposal provided by Scatliff-Miller-Murray for consideration.

Administration recommends the following;

1. That Option #3 – Total Project less Scott Street Trees with Water Infusion portion of Tender 17-OF-05 – 2017 Rainy Lake Square, Scott Street and Civic Centre paving renewal be awarded to RML Contracting Ltd. of Thunder Bay at a cost of \$2,101,997.15 which includes the Town's portion of HST and a contingency allowance of \$92,000.00
2. That the sewer and water works, totalling \$26,095.81 including the portion of bonds and insurance and the Town's portion of HST, be funded by the Sewer and Water Reserves
3. That the remaining budget shortfall of \$366,155.42 be funded by the allocation of \$170,000.00 of the 2016 Surplus and the remaining \$196,155.42 be funded from the Corporate Projects Reserve.
4. That in the near future a public meeting be scheduled to ensure all property owners to be effected by these construction works obtain first-hand knowledge of the project and have the opportunity to ask questions of the contractor
5. That the Town engage Scatliff-Miller-Murray to undertake the contract administration through the construction phase of the project at a cost of \$89,770.00 plus applicable HST
6. That a by-law authorizing the Mayor and Clerk to execute the contract documents with RLM Contracting Ltd. and Scatliff-Miller-Murray on behalf of the corporation of the Town of Fort Frances.

Respectfully Submitted



Travis Rob, EIT  
Manager of Operations and Facilities

**Council approval of this report will ensure:**

- 1. That Option #3 – Total Project less Scott Street Trees with Water Infusion portion of Tender 17-OF-05 – 2017 Rainy Lake Square, Scott Street and Civic Centre paving renewal be awarded to RML Contracting Ltd. of Thunder Bay at a cost of \$2,101,997.15 which includes the Town's portion of HST and a contingency allowance of \$92,000.00**
- 2. That the sewer and water works, totalling \$26,095.81 including the portion of bonds and insurance and the Town's portion of HST, be funded by the Sewer and Water Reserves**
- 3. That the remaining budget shortfall of \$366,155.42 be funded by the allocation of \$170,000.00 of the 2016 Surplus and the remaining \$196,155.42 be funded from the Corporate Projects Reserve.**
- 4. That in the near future a public meeting be scheduled to ensure all property owners to be effected by these construction works obtain first-hand knowledge of the project and have the opportunity to ask questions of the contractor**
- 5. That the Town engage Scatliff-Miller-Murray to undertake the contract administration through the construction phase of the project at a cost of \$89,770.00 plus applicable HST**
- 6. That a by-law authorizing the Mayor and Clerk to execute the contract documents with RLM Contracting Ltd. and Scatliff-Miller-Murray on behalf of the corporation of the Town of Fort Frances.**

# SCATLIFF + MILLER + MURRAY

visionary urban design + landscapes

## Rainy Lake Square, Scott Street and Civic Centre Bid Summary and Review

April 25, 2017

Travis Rob

Manager of Operations & Facilities

Town of Fort Frances

900 Wright Ave

Fort Frances, ON P9A 3J9

**Re: Summary of Tender No. 17-OF-05**

Good Afternoon Travis,

The purpose of this letter is to provide a summary and short review of the Bid results for Tender No. 17-OF-05. Bids were received on April 11<sup>th</sup>, 2017 and were opened publically at the Town of Fort Frances Civic Centre after the closing time of 2pm local time. A total of 4 bids were received by RML Contracting (Thunder Bay), J&D Penner (Winnipeg), Darryl's Landscaping (Fort Frances), and Manshield Construction (Thunder Bay).

### The Bid Results

The bid results were as follows.

Contractor	IN/OUT	Estimator:	RECEIVED ON TIME	ADDENDA ACCOUNTED FOR	TOTAL BID (GST EXTRA)	% Over Low	% Over Budget **	NOTES
Darryl's Landscaping	IN	Darryl Eyolfson	YES	YES	\$3,133,366.10	131.62%	174.08%	
J&D Penner Ltd.	IN	Ben Green	YES	YES	\$2,565,014.32	107.74%	142.50%	
RML Contracting	IN	Andrew Lindstrom	YES	YES	\$2,380,652.62	100.00%	132.26%	Low Bid.
Manshield Construction	IN	Cody Tomiuk	YES	YES	\$3,332,557.74	139.99%	185.14%	

\*\* Estimated Total Project Budget was carried as roughly \$1.8M.

As noted in the Chart, the low bid came from RML construction with J&D Penner closely behind at roughly 7.7% higher. From there, a large margin separated bids 3 and 4 from Darryl's Landscaping and Manshield respectively. All bids came in higher than expected. Because of their high totals, we recommended that these bids not be considered further.

### The Bid Review Process

Our review continued with a check of the qualification statements, subcontractor lists and other bid requirements from the two low bidders. As we saw no issues or red flags, we were able to accept both bids as viable.

# SCATLIFF + MILLER + MURRAY

visionary urban design + landscapes

In the next phase of the award process, we worked with the Town of Fort Frances representative to propose substitutions, reductions, and cuts in order to reconcile the overall contract value with the proposed budget. In making cuts our goal was to preserve the primary function and the same aesthetic appeal of the project. Our first action was to assess what items carried the highest and lowest priority. Then, we applied those cuts to the submitted bid forms to see what cost implications they would have. Because each bidder had unique unit prices, the effect on the overall cost was distributed differently. However, many of the cost reductions required input directly from the contractor and so we could not accurately predict this without their involvement. This gave us enough insight to deduce that J&D Penner's cost would not reduce as significantly as the low bidder and so the determination was made to work directly with only the low bidder, RML Construction. We had considered partial awards to take advantage of the best unit prices from each contractor but this proved to be complicated and left a number of unresolved issues that could result in higher costs later on.

After several days of communication with RML, we were able to achieve a lower total contract value that is more in line with the projected budget. If further reductions are needed this may still be possible but perhaps not without compromising the function, aesthetics and vision for the space.

Our formal recommendation will follow this letter.

Per: Scatliff + Miller + Murray

A handwritten signature in black ink, appearing to be 'DB', with a small dot to its right.

David Bodnarchuk  
MALA, SALA, CSLA, LEED AP



ADMINISTRATION & FINANCE DIVISION  
TREASURY REPORT 2016/14-A

*Approved 9/3/2016*  
*[Signature]*

**TO:** Mayor Avis & Members of Council  
**FROM:** Laurie Witherspoon, Treasurer  
**DATE:** March 2, 2016  
**SUBJECT:** BIA Commitment for Rainy Lake Hotel Market Square Project

### BACKGROUND

Attached is a copy of a letter to Mayor & Council dated June 5, 2012 from Richard Boileau, Vice-Chair of the BIA Board of Directors outlining their commitment/contribution(s) to the Rainy Lake Hotel Market Square project.

T. Rob, CBO and myself met with Mr. Boileau to review the BIA's commitment to the market Square project. Mr. Boileau will bring forward their commitment at the next Board of Director's meeting for authorization to make payment toward the 2015 demolition, their 2016 contribution and the balance amount for payment over 10 years.

Further on February 25, 2016 I spoke with Richard Boileau, who has confirmed that the BIA will honor their 2012 commitment of \$180,000.00 to the Rainy Lake Hotel/Market Square Project as follows:

1. \$30,000.00 – 2015 demolition
2. \$30,000.00 – 2016 project
3. \$100,000.00 - \$10,000/year for 10 years (2017 to 2026)
4. \$10,000.00 – Advertising \$1,000.00/year over 10 years
5. \$10,000.00 – Visual Improvements \$1,000.00/year over 10 years.

### RECOMMENDATION

The Administration and Finance Executive Committee recommend approval of the BIA financial commitment toward the Rainy Lake Hotel/Market Square Project and that an Agreement with the BIA be brought forward.

Council Approval of This Report Will Approve the Administration & Finance Executive Committee recommendation to approve the BIA financial commitment toward the Rainy Lake Hotel/Market Square Project and that an Agreement with the BIA be brought forward.

# SCATLIFF + MILLER + MURRAY

visionary urban design + landscapes

## Rainy Lake Square, Scott Street and Civic Centre Letter of Recommendation

April 25, 2017

Travis Rob

Manager of Operations & Facilities

Town of Fort Frances

900 Wright Ave

Fort Frances, ON P9A 3J9

**Re: Recommended Award of Tender No. 17-OF-05**

Good Afternoon Travis,

We are truly excited to commence construction activities on the aforementioned projects in the Town of Fort Frances. As you know after receiving bids on the tender that were unexpectedly high, we began the process of value engineering in order to reduce the projected construction costs to a more manageable number. Initially we were reviewing both low bids from RML and J&D Penner respectively. It became clear that the J&D Penner's bid could not be reduced substantially enough without cutting some of the primary functions. Furthermore, the option of partial awards to both bidders came with too many risks and unknowns and may not have resulted in savings. As such, we turned our attention to RML, the low bidder.

We proceeded on the basis of making cuts, substitutions and reducing quantities in order to lower costs. We also considered design revisions such as changes to foundations and changes to specifications. We did not request that RML alter their unit pricing unless one of the above changes had preceded.

### Summary of Changes

#### Substitutions and Reductions

- Stage Structure – No Piles, On Footings. (PRU has agreed that this is possible as they provide the engineering)
- Towers – Delete 2 of 6 T400. Foundations as per Trylon Engineering Dpt.  
For the T500 (24') the recommended foundation is a 4' x 4' x 4' reinf. Conc block with an added 1' flare to 5' x 5' at the bottom.  
For the T400 (16') the recommended foundation is a 3' x 3' x 3' reinf. Conc. block with an added 1' flare to 4' x 4' at the bottom.
- All Aluminum Light posts on 8' Sono-Tubes  
THIS ELIMINATES DEEP PILES FROM THE PROJECT
- Festoon Cable/Lighting – Reduce Quantity from 140 lin. m. to 80 lin. m.
- LED Lit Bollards –Substitute w/ Large Granite Boulders. (Eliminate Electrical Runs as well)
- Concrete Pad at back of Stage 3sq.m. – Change to asphalt
- Cast Iron Tree Grates to "Monza" (Green Blue Urban)
- Unify thickness of all Concrete Pavers to 100mm in the Plaza and 80mm elsewhere. Scott Street and Civic Centre to sub Broadway for Navarro (flat head). Plaza to sub Cobble for Broadway.
- Tree Planting Pits and corresponding amount of Structural Soil to be reduced to 3m from 5m. Width and depth and grate size to remain.
- Reduce Plaza Tree Pits by 1.
- Alternate Price 1 is to be included in contract. Total street trees to be reduced by 3.



- Catch Basin Grates to be substituted. Product to match Tree Grates, TBD.
- Reduce Civic Centre Paving by 10%
- Substitute Concrete Ramp Surface for Ipe to Match Decking

#### Cuts

- Bottle Filling Station
- Gabion Kiosk Sign
- Backlit Sign – delete 1
- Feature Planter Wall and Steel Flag Sign
- Cantilevered Canopies – From (2) x 16' and (3) x 12' to (3) x 16' and (0) x 12'
- Interpretive Sign Frames – All
- Reduce Site Furniture Numbers
  - Wall Mounted Backless Benches – delete All.
  - Bistro Round Chairs – delete 9
  - Bistro Tables – delete 2
  - Bistro Barstools – delete 3
  - Multiplicity Bike Racks – delete 2
  - Backed Benches – delete 1
  - Waste Bins – delete 1
- Recycled Rubber Wheel stops
- Parking Line Painting
- Reduce Quantity of Planting 4" pots to 300
- Aluminum Light Pole and Luminaire Assembly – delete 2
- Delete all Civic Centre Furniture. Existing to remain.

Note: The Town of Fort Frances, own forces will maintain all planting during warranty period to RML's req. however, RML's warranty must remain intact. As always, plants damaged by animals or vandalism are not covered under warranty. RML to maintain during establishment period, sign off will be provided to move to warranty period. If RML agrees to this, an associated cost reduction can be applied to planting. If the Town feels the reduction is sufficient, and the work is manageable, we can proceed this way.

With these changes, the intent of the design and space is maintained, however the project cost would be \$2,458,621.49 including \$92,000.00 contingency and HST. Further these adjustments have been reviewed and approved in principle by RML. Proceeding on the above adjustments, we recommend that RML be awarded the contract for Tender Number 17-OF-05. We look forward to a successful completion of this project.

Per: Scatliff + Miller + Murray



David Bodnarchuk  
MALA, SALA, CSLA, LEED AP

# SCATLIFF + MILLER + MURRAY

visionary urban design + landscapes

February 22, 2017

Travis Rob  
Town of Fort Frances

RE: Rainy Lake Square, Scott Street and Civic Centre  
Construction Administration Services  
Fort Frances, ON

Greetings Travis,

Scatliff+Miller+Murray (SMM) Inc. is a landscape architecture and planning consulting firm with over 25 years' experience creating exciting, innovative and award-winning urban design.

With the proven ability to manage a wide range of landscape architecture and design projects and from the initial concept through to implementation, SMM's extensive project list includes public plazas, parks, major urban redevelopment projects, residential and commercial subdivisions, waterfront renewal, playgrounds, schools, golf courses and open spaces. Scatliff + Miller + Murray prides itself on its proven ability to administrate the construction of projects both large and small. We have a depth of experience that is seldom paralleled in the industry and with that experience, we are confident in our ability to manage any situation that may arise. The collaborative nature of our office culture means that ideas and project issues are commonly shared across a wider platform where innovative solutions are developed by a team of bright minds. In addition, our background as primary designers on this project will be an asset by allowing us to have a first-hand understanding of the original design intent and direction as well as a strong familiarity with the site.

We have far-reaching experience in urban site development with projects such as the Winnipeg City Hall courtyard, Waterfront Drive, the Plaza at the Forks and Old Market Square. Most recently, we have had the opportunity to work with the Town of Fort Frances to redevelop a portion of the downtown core on Scott Street. The Rainy Lake Market Square will be the most significant project undertaken by the Town of Fort Frances in a generation and we are truly excited to have been part of it. At this time, the design phases are winding down and preparation for construction is ramping up.

## Project Understanding

The terms of this proposal are to provide construction administration services for the Rainy Lake Square, Scott Street and Civic Centre projects in order to oversee their successful completion. This will require regular communication and coordination with the successful contractor as well as the Town representative in order to ensure the project is completed on time and on budget.

We see our scope as part of this service to include the following:  
(This fee is to include all engineering services)

- **Procurement and Bid Phase**
  - Integrate Issued for Tender documents into the Town of Fort Frances' procurement framework.
  - Answer RFI's
  - Provide clarifications and additional information to Bidders as part of an Addendum
  - Make formal recommendations for award of contract

Await the Town of Fort Frances decision

- **Construction Phase – Implementation**

Assuming a 16 week installation period

  - Ensure contractor documentation is completed
  - Kick off Meeting with Town and Contractor
  - Ensure contractor schedules are submitted
  - Ensure that contractor records and reports are being kept and filed
  - Provide regular reports to the Town of Fort Frances representative.
  - Weekly site reviews to oversee progress and ensure milestones are being met.
  - Engineering site reviews
- **Construction Phase - Change Control**
  - Issue Change Notices, Change Orders and other control documents
  - Issue Work Value Certificates or equivalent to recommend payment to contractor
- **Close Out Phase**
  - Close out documentation and final site reviews

We estimate the schedule of this project to be roughly 16 weeks commencing in early Spring 2017 (weather permitting) and completing by September 2017. As such, we will ensure that we are dedicating a sufficient number of staff to complete each phase of the work. In some cases, site visits may be made by KGS engineers or representatives depending on the relevant tasks under review.

## Fee Schedule

Our fees are in accordance with the Manitoba Association of Landscape Architects Fee Guidelines, and are based on a general review of the site plan that has been submitted, understanding of the scope, methodology, and probable construction budget of landscape works.

We anticipate that most material will be handled digitally and will not have a disbursement charge, if however colour printed material is required, disbursements will be charged on a cost plus 10% basis.

We are proposing that we work on an hourly basis up to the upset maximum fees per stage as shown below.

Procurement and Bid Phase	\$ 7,720.00
Construction Phase – Implementation	\$ 9,580.00
Construction Phase – Change Control	\$ 44,980.00
Close Out Phase	\$ 13,790.00

---

SubTotal	\$ 76,070.00
----------	--------------

Expenses and Travel	\$ 13,200.00
---------------------	--------------

[Travel costs for site visits (2 days each), Mileage, Meals, Lodging]

\$ 500.00

[Printing – to be used as required]

Total Fee	\$ 89,770.00 plus H.S.T.
-----------	--------------------------

### Project Breakdown

Rainy Lake Square Project	\$ 82,445.00 plus H.S.T.
Scott Street and Civic Centre	\$ 6,825.00 plus H.S.T.
Printing (under RLS)	\$ 500.00 plus H.S.T.

Thank you for the opportunity to quote on this project,

Bob Somers MALA, SALA, CSLA  
Principal

**Scatliff + Miller + Murray**



Bob Somers, Principal

# ACKNOWLEDGEMENT FORM

The attached proposal, dated **February 22, 2017**, outlines the scope of services and the proposed basis of compensation for **Rainy Lake Square, Scott Street and Civic Centre – Construction Administration Services**.

(Scatliff + Miller + Murray Inc. File No. \_\_\_\_\_). *To be filled out by SMM upon approval*

Please indicate your approval of the proposal and your authorization to proceed with the work by initialing the previous pages (bottom left corner) and signing and returning this form to:

Scatliff + Miller + Murray Inc.  
1120-201 Portage Avenue  
Winnipeg, Manitoba  
R3B 3K6  
ATTENTION: Bob Somers

The proposal terms and conditions as set out in the above referenced proposal are acknowledged and accepted by the undersigned. Scatliff + Miller + Murray Inc. is hereby authorized to proceed with the work.

_____	_____
Witness	Client Name (Print)

_____	_____
Date	Authorized Signature incorporated therein.