



REPORT ADM-2014-003

TO: Mayor and Members of Council

FROM: Karen Landry, CAO/Clerk

DATE: April 15, 2014

SUBJECT: Proposed By-law to regulate the use and sale of Fireworks
File No. C01/FIR

RECOMMENDATIONS

That Report ADM-2014-003 regarding a proposed By-law to regulate the use and sale of Fireworks be received; and

That Council enact a By-law to regulate the use and sale of Fireworks as outlined in Schedule "A" to Report ADM-2014-003.

DISCUSSION

Purpose

The purpose of this Report is to recommend that Council enact a new by-law to prohibit and regulate the sale, storage, discharge and setting off of fireworks.

Background

The Township passed By-law 20/2003 on May 7, 2003 to prohibit and regulate the setting off of fireworks.

The Fire and Rescue Committee ("Committee") at its meeting held on May 15, 2013, discussed the need to review the Fireworks By-law to update the requirements related to the discharge and setting off of Fireworks and to establish a framework and permit process for the sale of Fireworks.

Subsequently, the Committee at its meeting held on August 14, 2013, reviewed the proposed by-law and passed Recommendation No. FIR-2013-006 requesting Council to direct staff to hold a public meeting for the purpose of seeking input on the proposed by-law.

A public meeting was held on November 6, 2013.

The Fire and Rescue Committee at its meeting held on January 15, 2014 reviewed the comments made at the public meeting and supported the responses to those comments as outlined below.

Comments raised at the Public Meeting

1. Concerns with ability for vendors to obtain from suppliers “dummy” or inert fireworks for display purposes.

Response

A display board for a “dummy”, “mock” or “inert” firework may be used. If the firework is not a “dummy”, “mock” or “inert” it must be locked in a display case.

Refer to Sections 6(10) and 6(11) of By-law

2. Clarify that fireworks can be displayed in a secure glass case even if they are not inert.

Response

A display board for a “dummy”, “mock” or “inert” firework may be used. If the firework is not a “dummy”, “mock” or “inert” it must be locked in a display case.

Refer to Sections 6(10) and 6(11) of By-law

3. Clarify definition of High Hazard and Low Hazard Fireworks by adding a reference of 1.3 g or 1.4 g.

The definitions of “High Hazard” and “Low Hazard” Fireworks have been amended to include reference to “display” and “consumer and recreational” for added clarification. It is not recommended that the definitions be amended to add further technical referencing as those authorized to sell “High Hazard” Fireworks must have a valid Fireworks Supervisor Card and a magazine licence and are familiar with the differences between High Hazard and Low Hazard Fireworks. Please note a Fact Sheet has been developed to assist communicating the By-law requirements.

Refer to Section 1 of By-law for the definitions.

4. Consider one permit for more than one event e.g. May 24th and July 1st

Response

That an individual obtain a permit for each event as different trailers may be used and an inspection must be conducted each time.

5. Does a resident require a permit for setting off Low Hazard Fireworks?

Response

A permit is not required for setting off Low Hazard Fireworks

6. Consider delegating approval for events not taking place on the designated dates to the Fire Chief.

Response

The By-law has been amended to have all permits approved by the Fire Chief or other staff as designated by the Fire Chief.

7. Include the definition of a Building

Response

The following definition has been amended in accordance with the Fire Protection and Prevention Act:

“Building” means any structure used or intended for supporting or sheltering any use or occupancy.

Refer to Section 1 of By-law.

8. Add the following dates to permit the discharge of Fireworks on:

- Chinese New Year (January or February – as designated each year)
- Diwali (October or November)
- New Year's Day (January 1)

- New Year's Eve (December 31)

Response

These dates have been added to the By-law. Please note New Years' Eve is not specifically stated but is addressed through the provision that permits the setting off of fireworks two (2) days before and two (2) days after the designated date.

Refer to Sections 7 (1) and 7 (3) of the By-law.

9. Develop a fact sheet to assist with the interpretation of the technical terms of the By-law

Response

Staff have developed a Fact Sheet and it is attached as Schedule "B" to this Report.

10. Modify the By-law to permit the discharge of fireworks two (2) days before and after the designated dates instead of 1 day before.

Response

Staff have amended the by-law to extend the dates to two (2) days before and after the designated dates.

Refer to Section 7(1) of the By-law.

11. Permit Fee – Consider that the Puslinch Optimist Club is a service club

Response

The waiving of any fees will be at the discretion of Council.

Implementation

It is recommended that the By-law come into force on June 2, 2014.

Financial Implications

The fees for obtaining a permit for the setting off and discharge of fireworks and for the sale of fireworks have been included in the Township's Fee By-law which is reviewed on an annual basis as follows:

Permit for Sale of Fireworks	\$100.00
Permit for the Setting off and Discharge of Fireworks	\$100.00

These fees will come into effect upon the passing of a new By-law to regulate the sale and discharge of fireworks.

Applicable Legislation and Requirements

Fire Protection and Prevention Act, S.O. 1997, c. 4

Municipal Act, S.O. 2001, c. 25

Explosives Act, R.S.C. 1985, c. E-17

SCHEDULE "A"

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER

A By-law to prohibit and regulate the sale, storage,
display and setting off of Fireworks and to repeal
By-law 20/2003

WHEREAS Section 7.1 (1) of the Fire Protection and Prevention Act, S.O. 1997, c. 4, as amended, provides authority to a Council of a municipality to pass by-laws to regulate fire prevention including the prevention of the spreading of fires; and

WHEREAS Section 12 (5) of the Fire Protection and Prevention Act, S.O. 1997, c. 4, as amended, provides authority to a Council of a municipality to pass by-laws that are more restrictive than the Ontario Fire Code requirements respecting the keeping and manufacturing of explosives; and

WHEREAS Section 120 (1) (a)(b)(c) of the Municipal Act, S. O. 2001, c. 25, as amended, provides authority to a municipality to pass a by-law to prohibit and regulate the manufacture and storage of explosives; and

WHEREAS Section 121 of the Municipal Act, S.O. 2001, c. 25, as amended, provides authority to a Council of a municipality to pass a by-law to prohibit and regulate the sale of fireworks and the setting off of fireworks and to prohibit these activities unless a permit is obtained and may impose conditions for obtaining, continuing to hold and renewing the permit including requiring the submission of plans; and

WHEREAS the Council for the Corporation of the Township of Puslinch deems it appropriate to regulate and prohibit the sale, storage, display and setting off of fireworks and pyrotechnic special effect devices;

NOW THEREFORE the Council of the Corporation of the Township of Puslinch enacts as follows:

1. DEFINITIONS

In this By-law:

"Council" means the Council for the Corporation of the Township of Puslinch;

"Building" means any structure used or intended for supporting or sheltering any use or occupancy;

“Fire Chief” means the Fire Chief for the Township and Township staff as designated by the Fire Chief for the purpose of administering this By-law.
“Fireworks” means any and all classes of fireworks which are included in the Federal Explosives Regulation, Department of Energy, Mines and Resources and includes Low Hazard Fireworks and High Hazard Fireworks;

“High Hazard Fireworks” are display firework articles designed for use by professionals and includes aerial shells, cakes, roman candles, waterfalls, lanes and wheels also referred to as display fireworks;

“Highway” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

“Low Hazard Fireworks” are consumer firework articles designed for recreational use by the public and includes roman candles, sparklers, fountains, wheels, volcanoes, mines and snakes also referred to as consumer fireworks;

“Permit” means a Permit issued by Township staff pursuant to this By-law;

“Person” includes a corporation and their heirs, executors, administrators, or other legal representatives of a person to whom the context can apply according to law;

“Public Lands” includes any land owned or leased by the Township or the Corporation of the County of Wellington and includes a Highway;

“Officer” means a police officer, Fire Chief, municipal law enforcement officer or other person appointed by by-law to enforce the provisions of this By-law;

“Township” means the Corporation of the Township of Puslinch or the land within the geographic limit of the Corporation of the Township of Puslinch as the context requires.

2. GENERAL PROHIBITIONS

- (1) No Person shall display, offer for sale or sell Fireworks without a Permit.
- (2) No Person shall set off, discharge, cause or permit to be set off or discharged Fireworks on Public Lands without a Permit.
- (3) No Person shall set off, discharge, cause or permit to be set off or discharged High Hazard Fireworks in the Township without a Permit.

3. PERMIT – SALE OF FIREWORKS

- (1) Every Person making an application for a Permit for the sale of Fireworks shall submit:
 - (a) a complete application to the Township in the form provided by the Township at least thirty (30) days prior to the sale of Fireworks;
 - (b) proof of current Commercial General Liability Insurance in a minimum amount of no less than five (5) million dollars (\$5,000,000.00) for the term of the Permit with an endorsement that notice in writing at least fifteen (15) days prior to cancellation, expiration, or variation thereof will be given to the Township by the insurance underwriter;
 - (c) in the case where the Township has granted permission for the use of Public Lands, submit proof of current Commercial General Liability Insurance in a minimum amount of no less than five (5) million dollars (\$5,000,000.00) for the term of the Permit with an endorsement that notice in writing at least fifteen (15) days prior to cancellation, expiration, or variation thereof will be given to the Township by the insurance underwriter and naming the Township as an additional insured;
 - (d) written permission of the property owner, if applicable;
 - (e) any other documents as may be required to substantiate compliance with any other legislation to the satisfaction of the Township;
 - (f) the required Permit fee in accordance with the Township's Fee By-law.
- (2) The issuing of a Permit for the sale of Fireworks shall be subject to:
 - (a) a satisfactory inspection by Township staff of the lands, Buildings to be used for the sale of Fireworks;
 - (b) terms and conditions imposed.

4. PERMIT – SETTING OFF OR DISCHARGE OF HIGH HAZARD FIREWORKS

- (1) Every Person making an application for a Permit to set off or discharge High Hazard Fireworks shall submit:

- (a) a complete application to the Township in the form provided by the Township at least thirty (30) days prior to the event;
- (b) proof of current Commercial General Liability Insurance in a minimum amount of no less than five (5) million dollars (\$5,000,000) for the term of the Permit with an endorsement that notice in writing at least fifteen (15) days prior to cancellation, expiration, or variation thereof will be given to the Township by the insurance underwriter;
- (c) in the case where the Township has granted permission for the use of Public Lands, submit proof of current Commercial General Liability Insurance in a minimum amount of no less than five (5) million dollars (\$5,000,000) for the term of the Permit with an endorsement that notice in writing at least fifteen (15) days prior to cancellation, expiration, or variation thereof will be given to the Township by the insurance underwriter and naming the Township as an additional insured;
- (d) proof of a valid Fireworks Supervisors Card issued by Energy, Mines and Resources Canada;
- (e) written permission of the property owner, if applicable;
- (f) a site plan drawn to approximate scale outlining the following:
 - i) direction of firing;
 - ii) spectator viewing area;
 - iii) separation distances between buildings;
 - iv) position of ramps and mortar;
 - v) significant ground features;
 - vi) Buildings;
 - vii) overhead obstructions;
 - viii) parking areas; and
 - ix) ingress and egress routes to the lands
- (g) procedures related to the setting off of High Hazard Fireworks and Emergency Response;
- (h) a list of individuals assisting with the setting off of Fireworks on the date of the event;
- (i) any other documents as may be required to substantiate compliance with any other legislation to the satisfaction of the Township;
- (j) the required Permit fee in accordance with the Township's Fee By-law.

- (2) The issuing of a Permit for the setting off or discharge of High Hazard Fireworks shall be subject to:
 - (a) a satisfactory inspection by Township staff of the lands to be used for the setting off or discharge High Hazard Fireworks;
 - (b) terms and conditions imposed.

5. PERMIT – SETTING OFF OR DISCHARGE OF HIGH HAZARD FIREWORKS – OTHER THAN ON A DATE SPECIFICALLY PERMITTED BY THIS BY-LAW

- (1) Every Person making an application for a Permit to set off or discharge High Hazard Fireworks on a date not specifically permitted by this By-law shall be subject to the application process outlined in Section 4 of this By-law.

6. STORAGE AND SALE OF FIREWORKS

- (1) No Person shall display, offer for sale or sell Fireworks except on the day being observed as:
 - Victoria Day;
 - Canada Day;

eight (8) days prior to the day being observed as Victoria Day and Canada Day.
- (2) No Person shall display, offer for sale or sell Fireworks except from lands designated under the Township's Zoning By-law as Commercial, Industrial, Institutional or Open Space.
- (3) No Person shall sell Fireworks to a person under the age of eighteen (18) years of age.
- (4) No person shall display, offer for sale, or sell Fireworks that exceed one thousand (1000) kilograms unless the wholesaler is licensed by the Explosives Division, Department of Energy, Mines and Resources.
- (5) No Person shall display, offer for sale or sell within a Building Fireworks in a lot, bin or bundle that exceeds twenty-five (25) kilograms.
- (6) No person shall store Fireworks except in a cool dry place, away from any sources of heat and any substance that could cause ignition.
- (7) No person shall permit access to Fireworks stored within a Building, unless the Building has two (2) operative doors.

- (8) No person shall display, offer for sale or sell Fireworks without posting a sign at every entrance to the Building that is clearly visible with letters and symbols at least 10 cm high that indicates that any substance that can cause ignition is prohibited within six (6) meters of the Building.
- (9) No person shall possess any substance that can cause ignition within six (6) metres of Fireworks.
- (10) No person shall permit Fireworks to be displayed or offered for sale except for in an enclosed, non-combustible display unit, locked and accessible only to employees.
- (11) No person shall have a display board of Fireworks, except for a display board that contains inert articles.
- (12) No person shall permit any person other than an employee to handle any Fireworks that are not in consumer packs until the articles have been purchased.
- (13) No person shall permit Fireworks that remain unsold at the expiration of the selling period to be stored in a manner other than in a cool, dry place remote from flammable materials and inaccessible to the public.
- (14) No person shall display, store, offer for sale or sell Fireworks other than in accordance with applicable legislation.

7. DISCHARGE OR SET OFF OF FIREWORKS

- (1) No Person shall set off, discharge, cause or permit to be set off or discharged Fireworks in the Township at any time except on the day observed as:

Chinese New Year – as designated each year;
Victoria Day;
Canada Day;
Diwali; and
New Year's Day;

two (2) days immediately preceding or after Chinese New Year, Victoria Day, Canada Day, Diwali or New Year's Day, unless permission to do so has been granted by the Fire Chief in accordance with the provisions of this By-law.

- (2) No Person shall set off, discharge, cause or permit to be set off or discharged Fireworks in the Township on any day between 11:00 p.m. and 10:00 a.m. the following day.

- (3) In accordance with Section 7(1) and notwithstanding Section 7(2), Fireworks may be set off or discharged between 11:00 p.m. on one day and 1:00 a.m. the next day where a permit has been issued in accordance with this By-law for:

Chinese New Year – as designated each year;
New Year's Day

- (4) No person shall set off, discharge, cause or permit to be set off or discharged Fireworks:
- a) within fifty (50) meters of a nursing home or group home; or
 - b) within fifty (50) meters of a place where explosives, gasoline or other highly flammable substances are commercially manufactured, stored or sold; and
 - c) when a burning ban is in effect within the Township.
- (5) No person shall set off, discharge, cause or permit to be set off or discharged Fireworks other than those authorized pursuant to the Explosives Act, R.S.C. 1985, c. E. 17 and its regulations.
- (6) No person under the age of eighteen (18) years of age shall set off or discharge Fireworks.
- (7) No person shall set off, discharge, cause or permit to be set off or discharged Fireworks other than in accordance with any applicable legislation.
- (8) No person shall fail to remove all Fireworks and debris immediately after the conclusion of the event for the setting off or discharging of Fireworks.

8. ENFORCEMENT AND PENALTY PROVISIONS

- (1) The enforcement of this By-law shall be conducted by an Officer.
- (2) No person shall hinder or obstruct an Officer in the enforcement of this By-law.
- (3) Any person who is alleged to have contravened any section of this By-law shall identify themselves to an Officer upon request, failure to do so shall be deemed to have hindered or obstructed an Officer in the execution of his duties.

- (4) An Officer may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the By-law is complied with.
- (5) Every person shall comply with the terms and conditions of a Permit.
- (5) Every person who contravenes any provision of this By-law is guilty of an offence.
- (6) Every director or officer of a corporation who knowingly concurs in the contravention of any provision of this By-law by the corporation is guilty of an offence.
- (7) A person who is convicted of an offence is liable:
 - (a) on a first offence, to a fine of not less than \$250.00 and to a fine of not more than \$50,000.00; and
 - (b) on a second and each subsequent offence, to a fine of not less than \$500.00 and a fine of not more than \$100,000.00

9. SEVERABILITY

- (1) If a court of competent jurisdiction declares any section or part of the By-law invalid, it is the intention of Council that the remainder of the By-law shall continue in force.

10. SINGULAR AND PLURAL USE

- (1) In this By-law, unless the context otherwise requires words importing the singular shall include the plural and use of the masculine shall include the feminine, where applicable.

11. REPEAL

- (1) By-law 20/2003 is hereby repealed.

12. EFFECT

This By-law shall come into force and effect on June 2, 2014.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS XXXX
DAY OF XXXXXXXXXX, 2014.**

Dennis Lever, Mayor

Karen M. Landry, CAO/Clerk

SCHEDULE "B"



Fireworks Safety Fact Sheet Safety and Fire Prevention



Township of Puslinch - Fireworks By-law and Safety Fact Sheet

The safest way to enjoy fireworks while celebrating Canada Day and Victoria Day is to attend a public display hosted by a responsible organization.

The following important information will help you host a safe family or recreational fireworks display in accordance with By-law 2014-XXXXX in the Township of Puslinch.

What do you need to know about using Fireworks in the Township of Puslinch?

- No one shall discharge fireworks on public lands without a permit.
- No person under the age of eighteen (18) years shall discharge fireworks.
- Fireworks can only be discharged on the following days: Victoria Day, Canada Day, Diwali, Chinese New Year, New Year's Eve and New Year's Day (between 11:00 p.m. on New Year's Eve and 1:00 a.m. on New Year's Day).
- Fireworks may not be discharged between the hours of 11:00 p.m. and 10:00 a.m. (with the exception of New Year's Eve and Chinese New Year).
- Fireworks may not be discharged within fifty metres of a nursing home or group home, or a place where gasoline or other highly flammable substances are manufactured, stored or sold.
- Fireworks may not be discharged when a burn ban is in effect within the Township. Current burn ban information can be found at www.puslinch.ca.

Please note that a permit is not required for recreational low-hazard fireworks.

Puslinch Fire and Rescue Services want to help you keep your fireworks celebrations safe. The following safety guidelines should be followed when using fireworks:

- Always purchase fireworks from a licensed vendor. Inspect your fireworks during daylight hours.
- Never take apart or modify fireworks in any way.
- Appoint a responsible Adult (18+) to be in charge of discharging fireworks. Carefully read and be prepared to follow package directions.
- Fireworks are to be used outdoors only. Discharge fireworks only if wind conditions do not create a safety hazard.
- Keep spectators at a safe distance of at least 25 feet away from the fireworks discharge line.
- Always have a supply of water nearby (a running hose or several buckets).
- Place fireworks in a bucket of sand and aim fireworks away from spectators.
- Wear eye protection and gloves while lighting fireworks.
- Light only one firework at a time.
- Light fireworks at an arm length, then immediately step back.
- Never lean over fireworks or attempt to pick up a "dud" for at least 30 minutes. Never light a firework in your hand or re-light a dud firework.
- Always dispose of fireworks by soaking them in water and then disposing of them in a metal trash can.
- Never give fireworks to children.
- "Firecrackers" are unsafe and illegal.

In case of fire or an emergency, call 9-1-1



REPORT ADM-2014-011

TO: Mayor and Members of Council

FROM: Karen Landry, CAO/Clerk

SUBJECT: Vote Tabulators – 2014 Municipal Election

RECOMMENDATIONS

That Report ADM-2014-011 regarding Vote Tabulators – 2014 Municipal Election be received; and

That Council enact a By-law to authorize the use of optical scanning vote tabulators for the purpose of counting votes for the 2014 Municipal Election.

DISCUSSION

Purpose

The purpose of this Report is to authorize by By-law the use of voting and vote counting equipment such as optical scanning vote tabulators.

Background

As part of the budget process funds were allocated for the purpose of utilizing vote counting equipment being optical scanning vote tabulators for the 2014 Municipal Election.

Financial Implications

The 2014 approved budget included funds in the amount of \$22,000 with \$12,000 funded from the Information Technology Hardware Working Reserve and \$10,000 funded from the Information Technology Software Working Reserve for the purpose of utilizing vote counting equipment for the 2014 Municipal Election.

Applicable Legislation and Requirements

The *Municipal Elections Act*, 1996, as amended, authorizes the Council of local municipality to pass a by-law to authorize the use of voting and vote counting equipment such as optical scanning vote tabulators.

SCHEDULE "A"

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NO. 2014-XXX

A by-law to authorize the use of optical scanning vote tabulators.

WHEREAS Section 42 of the *Municipal Elections Act, 1996*, as amended, provides that, the Council of a municipality may, by by-law, authorize the use of optical scanning vote tabulators for the purpose of counting votes at municipal elections; and

WHEREAS the Council of The Corporation of the Township of Puslinch considers it desirable to pass such a by-law;

NOW THEREFORE the Council of The Corporation of the Township of Puslinch HEREBY ENACTS AS FOLLOWS:

1. That Council for the Township of Puslinch hereby authorizes the use of optical scanning vote tabulators for the purpose of counting votes for the 2014 Municipal Election.

READ THREE TIMES AND FINALLY PASSED IN OPEN COUNCIL THIS DAY OF MAY, 2014.

Dennis Lever, Mayor

Karen Landry, Clerk



REPORT PD-2014-004

TO: Mayor and Members of Council

FROM: Karen M. Landry on behalf of the Planning Advisory Committee

SUBJECT: Public Meeting – Rezoning Application – Ruth Louise Slater
Lots 18 & 19, Concession 8 – 1 Fox Run Drive
File: D14SLA

RECOMMENDATIONS

That Report PD-2014-004 regarding Public Meeting – Rezoning Application – Ruth Louise Slater – 1 Fox Run Drive – Lot 18 & 19, Concession 8 be received; and

That Council authorize the holding of a Statutory Public Meeting on May 28, 2014, at 7:00 pm in the Council Chambers, Municipal Complex.

DISCUSSION

Purpose

The purpose of this report is to obtain direction from Council to schedule the Statutory Public Meeting for Ruth Louise Slater – Rezoning Application.

Planning Advisory Committee

The Planning Advisory Committee at its meeting held on April 28, 2014 reviewed the Zoning By-law Amendment Application as filed by Ruth Louise Slater and suggested this matter be forwarded to Council for the purpose of setting a date for a public meeting.

Notice

Notice regarding the Public Meeting will be given in accordance with the Planning Act.

Financial Implications

None

Applicable Legislation and Requirements

Planning Act



REPORT PW-2014-004

TO: Mayor and Members of Council

FROM: Don Creed, Director of Public Works and Parks

DATE: May 7, 2014

SUBJECT: Tender Results For The Supply, Delivery of One (1) Single Axle Plow Unit with One Way Plow, Wing Assembly and Combination "U" Body Sander

RECOMMENDATIONS

That Report PW-2014-004 regarding the Tender Results for the Supply, Delivery of One (1) Single Axle Plow Unit with One Way Plow, Wing Assembly and Combination "U" Body Sander be received; and

That the tender for the Supply, Delivery of One (1) Single Axle Plow Unit with One Way Plow, Wing Assembly and Combination "U" Body Sander be awarded to Altruck International Truck Centres of Guelph, Ontario, factory order, at their tendered amount of \$206,385 including the non-refundable portion of HST; and

That Council authorize the Mayor and Clerk to sign the required contract documents.

DISCUSSION

Purpose

The purpose of this Report is to demonstrate to Council the surplus of funds from the tender results of the Single Axle Plow Unit. This surplus of funds is recommended to be used for the Rehabilitation of the French's Bridge project which has been tendered at an amount that is greater than the 2014 Budget. Please refer to Report PW-2014-006 for further details.

Background

The current unit is a 2006 Single Axle Plow Unit with One Way Plow, Wing Assembly and Combination "U" Body Sander. Replacement of this unit is within the guidelines of the Equipment Replacement Schedule. The current unit will be sent to auction when the new unit arrives.

A public tender for the Supply, Delivery and Installation of One (1) Single Axle Plow Unit with One Way Plow, Wing Assembly and Combination "U" Body Sander was advertised

on the Township's website for two weeks and a copy of the tender was sent to two (2) Heavy Truck Dealers that are able to meet the tender specifications. The tender closed on April 29, 2014.

As a result of a call for tenders, three (3) bids were received as follows:

Team Truck Centres Limited, Kitchener, ON
Altruck International Truck Centres, Guelph, ON- Factory order
Altruck International Truck Centres, Guelph, ON- Inventory stock

After a review of the submitted bids, Staff are recommending the contract for the Supply, Delivery of One (1) Single Axle Plow Unit with One Way Plow, Wing Assembly and Combination "U" Body Sander be awarded to Altruck International Truck Centres, factory order. The successful bid conforms to the specifications as requested in the tender document.

Attached as Schedule "A" to this report is a summary of the bids submitted.

FINANCIAL IMPLICATIONS

The 2014 Capital Budget includes \$225,000 for the purchase of One (1) Single Axle Plow Unit with One Way Plow, Wing Assembly and Combination "U" Body Sander and there are sufficient funds to proceed with the work based on the breakdown of costs as detailed below:

Contract Tender Price	\$ 202,338
Non-refundable HST	<u>\$ 4,047</u>
Total cost	\$ 206,385

APPLICABLE LEGISLATION AND REQUIREMENTS

The works for the above projects have been procured in accordance with the Township's Purchasing and Procurement of Goods and Services By-law 60/08.

ATTACHMENTS

Schedule A: Public Tender Opening Results

Schedule "A"

Public Tender Opening Results



These results are unofficial and no determination of award should be determined from this information.

Project Name: Tender for the Supply, Delivery of One (1) Single Axle Plow Unit with One Way Plow, Wing Assembly and Combination "U" Body Sander

Closing Date: April 29, 2014, 2:00 P.M. Council Chambers

No.	Bidder	Date Tender Received	Amount of Tender including non-refundable HST
1	Team Truck Centres Limited	April 29, 2014	\$ 207,899
2	Altruck International Truck Centres Factory Order	April 29, 2014	\$ 206,385
3	Altruck International Truck Centres Inventory Stock- does not meet specifications	April 29, 2014	\$ 201,667



REPORT PW-2014-005

TO: Mayor and Members of Council

FROM: Don Creed, Director of Public Works and Parks

DATE: May 7, 2014

SUBJECT: Tender Results for the Storm Sewer Replacement at 256 Brock Road

RECOMMENDATIONS

That Report PW-2014-005 regarding the Tender Results for the Storm Sewer Replacement at 256 Brock Road be received; and

That the tender for the Storm Sewer Replacement at 256 Brock Road be awarded to Cox Construction of Guelph, Ontario, at their tendered amount of \$91,558 including the non-refundable portion of HST; and

That Council authorize the Mayor and Clerk to sign the required contract documents.

DISCUSSION

Purpose

The purpose of this Report is to demonstrate to Council the surplus of funds from the tender results for the Storm Sewer Replacement at 256 Brock Road. This surplus of funds is recommended to be used for the Rehabilitation of the French's Bridge project which has been tendered at an amount that is greater than the 2014 Budget. Please refer to Report PW-2014-006 for further details.

Background

Through Township inspections, the Storm Sewer at 256 Brock Road was identified as critical for replacement. The 90 metre length of underground pipe that connects the storm water pond to the inlet pipe for Carroll Pond has deteriorated and requires replacement.

A public tender for the Storm Sewer Replacement at 256 Brock Road was advertised on the Township's website for two weeks and local contractors were made aware that the tender was available. The tender closed on April 30, 2014.

As a result of a call for tenders, three (3) bids were received as follows:

Prior Construction Corporation
Capital Paving Inc.
Cox Construction

After a review of the submitted bids, Staff are recommending that the contract for the Storm Sewer Replacement at 256 Brock Road be awarded to Cox Construction, the lowest compliant bid submitted. The successful bid conforms to the specifications as requested in the tender document.

Attached as Schedule "A" to this report is a summary of the bids submitted.

FINANCIAL IMPLICATIONS

The 2014 Capital Budget includes \$115,000 budgeted for 2014 and \$48,760 of capital carry forward funds from 2013. 55,000 for the Storm Sewer Replacement at 256 Brock Road and there are sufficient funds to proceed with the work based on the breakdown of costs as detailed below:

Contract Tender Price	\$ 89,763
Non-refundable HST	\$ 1,795
Engineering	\$ <u>15,000</u> (estimated)
Total Cost	\$ 106,558

APPLICABLE LEGISLATION AND REQUIREMENTS

The works for the above projects have been procured in accordance with the Township's Purchasing and Procurement of Goods and Services By-law 60/08.

ATTACHMENTS

Schedule A: Public Tender Opening Results

Schedule "A"**Public Tender Opening Results**

These results are unofficial and no determination of award should be determined from this information.

Project Name: Tender for the Storm Sewer Replacement at 256 Brock Road

Closing Date: April 30, 2014, 12:00 P.M. Council Chambers

No.	Bidder	Date Tender Received	Amount of Tender including non-refundable HST
1	Cox Construction	April 30, 2014	\$91,558
2	Prior Construction Corp.	April 30, 2013	\$104,958
3	Capital Paving Inc.	April 30, 2013	\$148,087



REPORT PW-2014-006

TO: Mayor and Members of Council

FROM: Don Creed, Director of Public Works and Parks

DATE: May 7, 2014

SUBJECT: Tender Results for the Rehabilitation of French's Bridge

RECOMMENDATIONS

That Report PW-2014-006 regarding the Tender Results for the Rehabilitation of French's Bridge be received; and

That the tender for the Rehabilitation of French's Bridge be awarded to Drexler Construction at their tendered amount of \$198,650 including the non-refundable portion of HST; and

That Council authorize the Mayor and Clerk to sign the required contract documents.

DISCUSSION

Purpose

The purpose of this Report is to seek Council's approval to award the tender for the Rehabilitation of French's Bridge to Drexler Construction. This project has been tendered at an amount that is greater than the 2014 Capital Budget. Other sources of funds are available from the Single Axle Plow Unit (PW-2014-004) and the Storm Sewer Replacement at 256 Brock Road (PW-2014-005). Refer to the financial implications in Report PW-2014-006 for further details on recommendations for funding sources.

Background

French's Bridge is located on Sideroad 10 North and required repairs were identified in the 2011 and 2013 Ontario Structure Inspections.

A public tender for the Rehabilitation of French's Bridge was advertised on the Township's website for two weeks and local contractors were made aware that the tender was available. The tender closed on April 30, 2014.

As a result of a call for tenders, three (3) bids were received as follows:

Drexler Construction
Capital Paving Inc.
Engineered Concrete Ltd

After a review of the submitted bids, Staff are recommending the contract for the Rehabilitation of French's Bridge be awarded to Drexler Construction, the lowest compliant bid submitted. The successful bid conforms to the specifications as requested in the tender document.

Attached as Schedule "A" to this report is a summary of the bids submitted.

FINANCIAL IMPLICATIONS

The 2014 Capital Budget includes \$135,000 budgeted for 2014 and \$29,849 of capital carry forward funds from 2013 for the Rehabilitation of French's Bridge. The costs for the project are detailed below as follows:

Contract Tender Price	\$ 194,755
Non-refundable HST	\$ 3,895
Engineering	\$ <u>15,000</u> (estimated)
Total Cost	\$ 213,650

Based on the amount of funds allocated to this project through the Capital Budget Process, additional funds of \$48,801 are required. It is recommended that additional funding be provided through capital projects that have been awarded under budget to date.

Project	2014 Capital Budget Allocation Amount	Tender Result including non-refundable HST	Engineering Costs	Surplus
256 Brock Road	\$163,760	\$91,558	\$15,000	\$57,202
Single Axle Plow Unit	\$225,000	\$206,385	\$0	\$18,615
		TOTAL		\$75,817

As noted in the chart above, the current surplus for projects awarded to date of \$75,817 is above the additional funding required of \$48,801 for the Rehabilitation of French's Bridge.

APPLICABLE LEGISLATION AND REQUIREMENTS

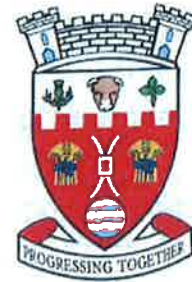
The works for the above projects have been procured in accordance with the Township's Purchasing and Procurement of Goods and Services By-law 60/08.

ATTACHMENTS

Schedule A: Public Tender Opening Results

Schedule "A"

Public Tender Opening Results



These results are unofficial and no determination of award should be determined from this information.

Project Name: Tender for the Rehabilitation of French's Bridge

Closing Date: April 30, 2014, 12:00 P.M. Council Chambers

No.	Bidder	Date Tender Received	Amount of Tender including all taxes
1	Drexler Construction	April 30, 2014	\$ 198,650
2	Capital Paving Inc.	April 30, 2014	\$ 252,079
3	Engineered Concrete Ltd.	April 30, 2014	\$ 214,901