



Drainage Board Meeting

Minutes

June 24, 2020, 4:30 pm

Location: Zoom Video Conferencing

**Consideration of Contract Price for Shepley Drain: Replacement
Bridges for Elwood Defour and Garry & Bonny Quick (Part of Lots 6 &
7, Gore Concession), Geographic Township of Colchester South,
Project REI2018D024, Town of Essex, County of Essex**

1. Roll Call

Present: Dan Boudreau
Kirk Carter
Percy Dufour
Felix Weight-Bienzle

Regrets: Luke Martin

Also Present: Shelley Brown, Deputy Clerk
Norm Nussio, Manager, Operations and Drainage
Lindsay Dean, Drainage Superintendent
Tanya Tuzlova, Operations/Drainage Clerk
Gerard Rood, Professional Engineer, Rood Engineering Inc.

General Public: Elwood Defour, 2353 County Road 20 West
Bonny Quick, 2361 County Road 20 West (11 minutes late)

The Deputy Clerk confirmed that all notices have been sent in accordance with The Drainage Act.

The meeting was called to order by the Chair at 4:42 PM.

2. Declarations of Conflict of Interest

None declared.

3. Adoption of Published Agenda

Drainage Board Meeting Agenda

Moved by Board Member Dufour

Seconded by Board Member Weight-Bienzle

(DB20-06-001) That the published agenda for the June 24, 2020 Drainage Board Meeting be adopted as amended with the following amendments:

- Item 4. Adoption of Minutes be amended to read "Consideration of Report for Crystal Beach Drain Bridge Replacements and Maintenance Schedule on May 21, 2020"; and
- The minutes attached be replaced with the minutes from the May 21, 2020 Consideration of Report for Crystal Beach Drain Replacements and Maintenance.

"Carried"

4. Adoption of Minutes

Consideration of Report for Crystal Beach Drain Bridge Replacements and Maintenance Schedule on May 21, 2020.

Moved by Board Member Weight-Bienzle

Seconded by Board Member Dufour

(DB20-06-002) That the minutes of the Drainage Board Meeting held on May 21, 2020, be adopted as circulated.

"Carried"

5. List of Written Appeals

The Deputy Clerk informed that no written appeals were received by the Clerk's Office.

6. Public Presentations

i) Gerard Rood, Professional Engineer

Consideration of Contract Price for Shepley Drain: Replacement Bridges for Elwood Defour and Garry & Bonny Quick (Part of Lots 6 & 7, Gore Concession), Geographic Township of Colchester South, Project REI2018D024, Town of Essex, County of Essex.

Mr. Rood informed that the project had to be tendered a second time since the first tender was over the report estimate. The Drainage Board's decision dated May 6, 2020, determined that the first tender was to be rejected. The Town received 5 new bids on June 3, 2020 in response to the new tender. The lowest bid received was submitted by Reg Clark Trucking Ltd. In the amount of \$58,594.41 (excluding HST and contingency allowance). The new tender was 133% over the

report estimate, subsequently, another meeting had to be scheduled to consider the new tender price. Mr. Rood added that the decision from the Drainage Board is required to accept the tender price to proceed with the project.

Mr. Rood stated that the Town has 2 concrete facilitator blocks that could be used for this project and may result in a reduction of the cost of the project by approximately \$3,000.00.

Board Member Carter asked Mr. Rood how much the new tender was over the report estimate.

Mr. Rood replied that the tender was now 66% over the report. Mr. Rood advised that the price may be further reduced by approximately \$3,000.00 if the two concrete blocks were offered by the Town are utilized.

Board Member Carter asked Mr. Rood if the second tender is over the 133% threshold.

Mr. Rood replied that the second tender received was over the 133% threshold due to the increase in price for labour, granular materials and cement. Mr. Rood added that the increase in price was not anticipated at the time the report was prepared.

Board Member Carter has acknowledged that the rise of the price for stone has doubled.

Board Member Dufour asked how many tenders were received aside from Reg Clark Trucking Ltd.

Mr. Rood replied that there were 5 tenders in total received that ranged from \$58,594.41 from Reg Clark Trucking Ltd and \$91,886.00 from the highest submitted bid.

The Chair asked Mr. Rood if the proposed blocks are of the same strength and durability as those planned for the project.

Mr. Rood explained that he has a letter from Reg Clark Trucking Inc. who investigated the proposed blocks with Wolseley Waterworks that states that the blocks will be appropriate for this project. Mr. Rood added that the blocks have a slightly different configuration and anchor plates should be added to hold them together. Mr. Rood explained that the diameter is slightly bigger, but the blocks are suitable for the project and will save over \$3,000.00.

Board Member Carter asked if the proposed concrete blocks will perform as expected.

Norm Nussio, Manager, Operations and Drainage explained that the concrete blocks are new and were not used as part of another construction project. Mr. Nussio further explained that the blocks were compatible with the blocks that are needed for the project.

Mr. Rood confirmed that the life span of the proposed concrete blocks are compatible with the needs of the project.

The Chair asked if there any questions from the public.

- ii) Elwood Defour, 2353 County Road 20 West, asked why the price of the project increased and added that he can take care of the removal of the trees if that will help to reduce the price.

Mr. Rood advised that the Drainage Superintendent may communicate with Jeff Clark Trucking Ltd. to discuss if further reduction is possible.

Lindsay Dean, Drainage Superintendent advised that she will contact Reg Clark Trucking Inc. to see if there is a possibility to reduce the price.

The Chair asked Lindsay Dean, Drainage Superintendent to communicate with Elwood Defour regarding the tree. The Chair added that the tree removal might be the owner's responsibility.

Mr. Rood advised that he can provide change orders for the tree removal and concrete blocks should removal by Mr. Defour be permitted.

- 2) Bonny Quick, 2361 County Road 20 West asked how much her cost will be.

Mr. Rood explained that the report provided the estimated cost and since the cost increased there will be slight proportional increase in price for the Quick Bridge as per assessment schedule.

Mrs. Quick asked if the cost of the engineer's report is going up as well.

Mr. Rood advised that he has done the retendering of the project but since there is a contingency allowance, he does not anticipate a significant increase in engineering costs.

Mrs. Quick asked if her cost of \$1,840.00 for engineering report will be increased or will remain the same.

Mr. Rood replied that value of benefit in the amount of \$1,840.00 will be proportionally increased for the overall project because of the standard practice to prorate the actual costs of the project.

Mrs. Quick replied that she understood that \$1,840.00 is for additional engineering of her bridge, but now it is going to be more. Mrs. Quick added that the report is done and she does not understand why the price for engineering services is going up.

Mr. Rood reiterated that the report provides for estimates of the costs and standard practice is to prorate actual costs. Mr. Rood added that there is an opportunity for the Court of Revision to potentially adjust the engineering cost so it remains unchanged for the Quicks' parcel.

The Chair advised that if the Board Members are in favour to make this change, it should be included into the minutes that the cost to the Quicks for the benefit assessment which represents engineering services remains the same and the increased cost of construction will be borne by Elwood Defour.

The Chair advised that the bridge for the Quick parcel is not being constructed at this time and the cost of benefit is for the engineering services.

Board Member Carter commented that it is better to include the engineering costs for the Quicks now in order to save costs for a stand-alone project.

Mr. Rood advised that the future construction of the Quicks' bridge would be up to the Drainage Department. Mr. Rood advised that there will be no additional engineering costs in the future since the construction would be done under maintenance and will be tendered when the time comes.

Mrs. Quick explained that the cost of the whole project is going up over 133% and if prorated, her cost will also increase.

Lindsay Dean, Drainage Superintendent, asked Mr. Rood to clarify if the benefit assessment to Mrs. Quick and if the amount of \$1,840.00 is going to be prorated with the total cost of the project or if it is a not to be prorated.

Mr. Rood explained that the report is set up as per standard procedure and that the cost will be prorated to collect the total final cost of the project. Mr. Rood added that through a motion, the Drainage Board could set the Value of Benefit at a fixed amount and not prorated with the total cost of the project.

Lindsay Dean, Drainage Superintendent, advised that if the benefit assessment to the Quicks is not to be prorated and remains at \$1,840.00, then Mrs. Quick

would not be affected by the increase in price for the construction part of the project.

Moved by Board Member Carter

Seconded by Board Member Weight-Bienzle

(DB20-06-003) That the tender received from Reg Clark Trucking Ltd. for the **Shepley Drain: Replacement Bridges for Elwood Defour and Garry & Bonny Quick (Part of Lots 6 & 7, Gore Concession), Geographic Township of Colchester South, Project REI2018D024, Town of Essex, County of Essex** be awarded and the assessment schedule be amended to reflect that the Value of Benefit to Garry and Bonny Quick is not prorated and remain in the amount of \$1,840.00. **“Carried”**

Moved by Board Member Carter

Seconded by Board Member Weight-Bienzle

(DB20-06-004) That the presentation by Gerard Rood be received and that the Report for the **Shepley Drain: Replacement Bridges for Elwood Defour and Garry & Bonny Quick (Part of Lots 6 & 7, Gore Concession), Geographic Township of Colchester South, Project REI2018D024, Town of Essex, County of Essex** as prepared by Gerard Rood, Professional Engineer dated October 17th, 2019 be received. **“Carried”**

7. Adjournment

Moved by Board Member Carter

Seconded by Board Member Weight-Bienzle

(DB20-06-005) That the meeting be adjourned at 5:15 PM. **“Carried”**

Chair

Recording Secretary

Date