



Municipality of the District of Argyle

Item: Wedgeport Sewer –
engineering services procurement

Date: July 27, 2020

VISION

We see Argyle as home to a healthy and thriving rural population. Our municipality promotes and supports economic and social opportunities for the region and engages in the active expression of our unique Acadian heritage. We are a place of choice for rural living and are widely recognized for our warm hospitality and joie de vivre. Surrounded by fresh air and cool ocean breezes, we work and play in the great outdoors. People choose to live in Argyle because of our commitment to each other, to our community and to our neighbors. Argyle is a place we are proud to call home.

Background:

In May of 2020, the Public Works Department concluded their tender process for the engineering services required to support the new phase of Wedgeport Sewer installations.

There were, as Council was informed at the time, three bidders that submitted their response. It was the conclusion of the Public Works Department, supported at the time by our solicitor, that there was only one qualified bid submitted, and that qualified bid was received from EXP, with the office located in Halifax NS.

The two disqualified bidders neglected to include items in the bid before the deadline, and these missing items were significant, therefore their bids were disqualified. We received an inquiry from a solicitor engaged by one of the two disqualified bidders and questioning our processes. In an abundance of caution, we had our solicitor, supported by a colleague, reexamine all three bids, and their conclusion remains that we have one qualified bidder.

The EXP bid exceeded our budget. The Municipality, led by our Director of PW, negotiated the project with the sole qualified bidder. It was determined that our staff could provide some of the inspection during the duration of the project, which would considerably alter the services led by EXP directly.

EXP's original bid was more than 15% of our budget, that we clearly indicated in the tender bid. The amount was \$123,125 plus HST in the initial bid. The budget was disclosed as \$82,000 to \$92,000. The negotiated price for the modified service is \$98,990, which is still slightly over our budget but well within our tolerance level.

In accordance with the tender documents, each bid would have been evaluated on their technical approach and price, price was not the only evaluated factor in the decision, and those that bid were made aware of this through the official tender package.

The deadline to spend federal and provincial dollars is not until 2021, and there are potential time extensions available. We are seeking, as you are aware, to install up to 50 new septic tanks in this new phase of the project. As we are utilizing Provincial, Federal and local dollars, procurement rules and their application are of paramount importance.

MGA considerations:

Solicitor advice was shared with council, under the provisions of in-camera rules respecting client – solicitor privilege.

CAO's Recommendation:

Recommend that we accept EXP's revised bid of \$98,990 and select that firm as the successful bidder for the 2020-2021 Wedgeport septic tank installation project.

Suggested motion:

Move that EXP's modified bid of \$98,990 for the 2020-21 Wedgeport Septic Tank installation project be approved.