

**SPECIAL MEETING OF COUNCIL
MONDAY, JANUARY 29, 2024 AT 12:00 P.M.
COUNCIL CHAMBERS, MUNICIPAL OFFICE
31C MAIN STREET, SACKVILLE**

- 1. Call Meeting to Order**
- 2. Motion to Approve Agenda**
- 3. Conflict Of Interest**
- 4. ABOITEAU AB-01 CONSTRUCTION PROJECT – J. EPPELL**

Motion to Adjourn

Note: *In-Camera Meetings deal with items as per section 68(1) of the Local Governance Act – Legal, Police, HR, Confidential Information (ex: Personnel), and/or Financial Agreements of Contracts or Land Transactions*



Synopsis: TAN-2023-11 Construction of New Aboiteau AB-01

Date: January 26, 2024

Department: Engineering and Public Works

DESCRIPTION

The project is construction of new aboiteau AB-01 to fit within available funding of \$2.4 million plus HST less \$186,000 for engineering. The new aboiteau is a component of the Lorne Street Stormwater Mitigation.

The tender closed with lowest tender being from Caldwell & Ross at \$2,855,750.00 plus HST leaving a shortfall of \$641,750.00 plus HST. DTI has advised that there is no further funding available currently.

A reduced scope of work was negotiated with Caldwell & Ross to fit a reduced scope within the available funding. DTI agrees with the reduced scope and understands that the new aboiteau will only be functional once the second phase of the aboiteau is completed with additional funding.

The final Agreement with DTI for Tantramar to contract for the construction was provided January 26, 2024. It incorporates the comments provided by Tantramar's lawyers, Stewart McKelvey.

PROPOSED MOTION

Staff recommends that Council:

- authorize the Mayor and Clerk to sign and seal the Agreement with DTI.
- that Council award tender TAN-2023-11 to Caldwell & Ross with reduced scope to suit the available funding in the amount of \$2,155,575.00 plus HST.
- that Council authorizes Englobe for the Phase 1 construction phase services at \$71,000 plus HST.

A copy of the report can be found in the December 12, 2023 Regular Council meeting agenda package at page 102.

Part 1 **BID MODIFICATIONS**

1.1 During a recent discussion between Englobe Corp. and Caldwell & Ross Ltd., as the low bidder, modifications to the Tender Prices and Construction Methodology were discussed relating to the quantities of certain items and unit prices. The Contractor has agreed to revise the Imported Borrow "A" quantity based on a revised construction approach where the contractor proposes to use a dredging method (simultaneous excavation and backfill). The Contractor will also move the New Aboiteau 5m to the North and will remove the use of Geotextile at the bottom of the excavation (transition from Native Material to Imported Borrow Material).

1.2 Below is the change to the tendered item (Section 00 41 45 Bid Form) of the project that will be affected:

- a) Item 6.3 Imported Borrow "A" reduced by \$27,500 (Units changed from Tonne to Lump Sum).

1.3 The Revisions to the Original Tender Submission is summarized below:

		2,855,750	Red
Tender Sub-Total (A):	=	<u>\$ 2,875,150.00</u>	
Total Credit (B):	=	<u>\$ 27,500.00</u>	
Revised Tender Sub-Total (A-B):	=	<u>\$ 2,828,250.00</u>	
HST@ 15%:	=	<u>\$ 424,237.50</u>	
Revised Tender Total including HST:	=	<u>\$ 3,252,487.50</u>	

- a) Refer to Appendix A for the list of updated quantities and item descriptions.

Part 2 BUDGET LIMITATIONS

2.1 The project will be awarded in 2 phases without any guarantee that phase 2 will proceed.

a) Phase 1 – Work to be completed by March 31, 2024, including supply of materials to be installed under Phase 2.

- Generally, the work will consist of (Aboiteau to be constructed 5m to the North):
 - Stripping & Stock Piling of Organic Material
 - Installation of Temporary Sheet Piling
 - Dredging of Existing Material within the Temporary Sheet Piling (±Sta. 1+045 to Sta. 1+088)
 - Installation of associated Imported Borrow "A" & Low Permeability Materials
 - Installation of 17m of 900mm Diameter Aboiteau Culvert
 - Installation of 22m of 1200mm Diameter Aboiteau Culvert
 - Installation of 900mm Concrete Cut-off Wall (Outlet)
 - Installation of 1200mm Concrete Cut-off Wall, Headwall and Splash Pad (Outlet)
 - Supply & Installation of 13mm Steel Plate on 1200mm Headwall (Outlet)
 - Supply of 29m of 900mm Diameter Aboiteau Culvert
 - Supply of 34m of 1200mm Diameter Aboiteau Culvert
 - Placement of R-25 and R-100 Rip-Rap (Outlet)
 - Supply of 900mm Concrete Cut-off Wall (Inlet)
 - Supply of 1200mm Concrete Cut-off Wall (Inlet)
 - Removal of Temporary Sheet Piling
 - Property Restoration

b) Phase 2 – Work to be completed by June 30, 2024, including installation of materials supplied under Phase 1.

- Generally, the work will consist of:
 - Stripping, Stock Piling and Re-Use of Organic Material
 - Dredging of Existing Material (±Sta. 1+000 to Sta. 1+045)
 - Excavation of Outlet Channel
 - Installation of associated Imported Borrow "A" & Low Permeability Materials
 - Installation of 29m of 900mm Diameter Aboiteau Culvert
 - Installation of 34m of 1200mm Diameter Aboiteau Culvert
 - Installation of 900mm Concrete Cut-off Wall (Inlet)
 - Installation of 1200mm Concrete Cut-off Wall (Inlet)
 - Installation of 450mm Concrete Diameter Culvert
 - Placement of R-25 and R-100 Rip-Rap (Inlet)
 - Property Restoration and Clean-up

c) Refer to attached drawing in Appendix B for phasing information

Part 3 PRICING MODIFICATION AGREEMENT – Phase 1

3.1 Tender Revisions shown in Part 2 result in the following totals:

Phase 1 Sub-Total (A): = \$ 2,255,575.00

HST@ 15%: = \$ 338,366.25

Phase 1 Total including HST: = \$ 2,593,911.25

Part 4 PRICING MODIFICATION AGREEMENT – Phase 2

4.1 Tender Revisions shown in Part 2 result in the following totals:

Phase 2 Sub-Total (A): = \$ 572,675.00

HST@ 15%: = \$ 85,901.25

Schedule Phase 2 Total including HST: = \$ 658,576.25

Phase 2 cost is based on the attached Construction Schedule (refer to Appendix C) provided by Caldwell & Ross. If funding is not in place by March 1st, 2024, Unit pricing provided by Caldwell & Ross may be subject to adjustments.

Part 5

Post Tender Addendum No.1

Appendix A – List of Updated Quantities

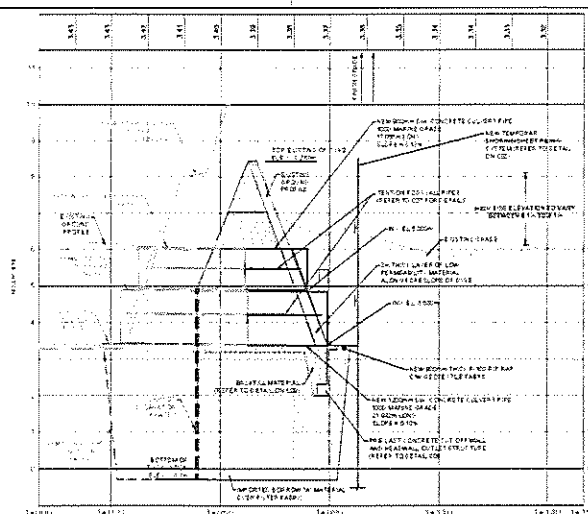
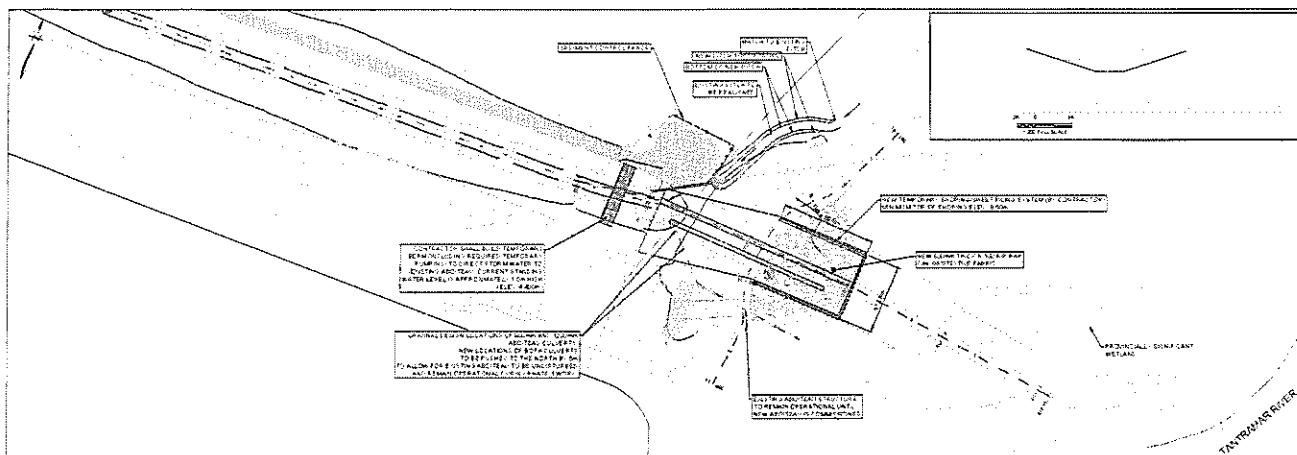
Appendix B – Construction Phasing Sketch

Appendix C – Preliminary Schedule – Caldwell & Ross

Appendix A – List of Updated Quantities

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Appendix B – Construction Phasing Sketch



1. REFER TO SPECIFICATIONS FOR THE TEMPORARY SCHEDULING REQUIREMENTS

2. THE ELEVATION AREA FOR REFERENCE DURING CONSTRUCTION SHALL BE RESPONSIBLE FOR ANY REQUIREMENTS AS A RESULT OF OTHER STEPS

3. CONTRACTOR SHALL BE REQUIRED TO MAINTAIN A PUMP TO MAINTAIN THE ELEVATION OF THE INSTALLATION OF THE TEMPORARY BERM AND/OR THE ELEVATION OF THE WORK IS CRITICAL TO THE WORK.

2.	06/12/2020	RENDER SLONE	Thru	P
3.	06/12/2020	COVER FOR TENDER	Thru	P
4.	05/11/2020	RENDER	Thru	P

TANTRALAR

ENGLOBE

LODGE STREET STORMWATER
MITIGATION PHASE II
CONSTRUCTION OF NEW

ALTERNATE NEW CULVERTS
FROM MILLER ROAD STA 1+00
TO STA 3+100

[illegible]

01. 02.

Appendix C – Preliminary Construction Schedule – Caldwell & Ross

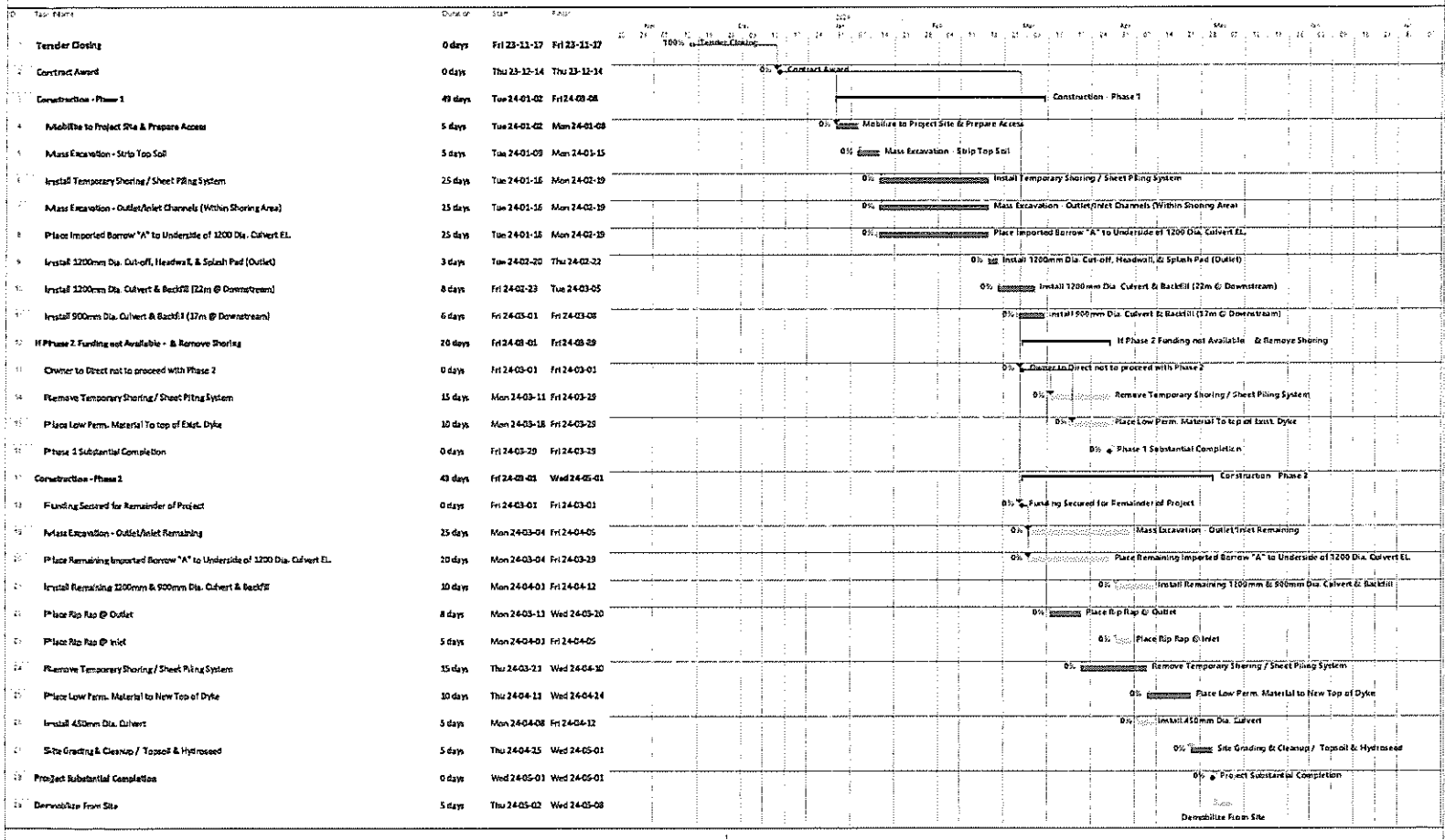


CALDWELL & ROSS
LIMITED

Tantramar -Construction of New Aboiteau AB01


100% Complete / 100% Baseline
100% Complete / 100% Baseline
100% Complete / 100% Baseline

Completed By:
RCD
Reviewed By:
Date Submitted:
2023-12-08




Part 6 **Agreement**

We, the undersigned agree that the afore mentioned changes are to be incorporated into the Tender Documents.



Project Manager
Caldwell & Ross Ltd.



Project Manager
Englobe Corp.

END OF SECTION



December 16, 2023

Tantramar
31C Main Street
Tantramar, NB E4L 1G6
Attention: Mr. Jon Eppell P.Eng.

Subject: **Lorne Street Storm Water Mitigation
Construction of New Aboiteau AB-01 - Financial Analysis**
Englobe reference: 2307362.000

Dear Jon,

1 Financial Analysis

As per the Tender Closing on November 7, 2023. There was a total of four (4) submissions received with the results as follows (excl. 15% HST):

1. Caldwell & Ross:	\$ 2,855,750.00
2. Birch Hill Construction Ltd:	\$ 4,556,220.00
3. Bowers Construction Ltd:	\$ 4,671,300.00
4. Dexter Construction Company Ltd:	\$ 5,636,150.00

NBDTI have secured funding for the project in the amount of \$2,400,000 (excluding HST). Therefore, in order to proceed with the project, Englobe has worked with Caldwell & Ross to develop a phased work plan to complete the project. The two (2) phased approach will allow the bulk of the project to be constructed by March 31, 2024, and if additional funding is secured, the remainder of the project would be completed by May 8, 2024, as per Caldwell & Ross's Construction Schedule (See attached Post Tender Addendum #1).

Below is the financial breakdown of the project budget:

- 1) Original Budget Breakdown
 - a. Construction Budget = \$2,214,000 (excl. HST)
 - b. Contingency = \$150,000 (excl. HST)
 - c. Engineering (Based on 12 Week Schedule) = \$186,000 (excl. HST)

Following a review of the project with Caldwell & Ross, modifications to the Construction approach were proposed and resulted in a cost savings of \$27,500. For a new revised Tender Amount of \$2,828,250 (excl. HST). Using the revised Construction amount. below is the proposed financial Phased approach to the project:

- 1) Phase 1 Budget Breakdown
 - a. Construction Cost = \$2,255,575 (excl. HST)
 - b. Contingency = \$100,000 (excl. HST)
 - c. Engineering = \$140,000 (excl. HST)
- 2) Phase 2 Budget Breakdown
 - a. Construction Cost = \$572,675 (excl. HST)
 - b. Contingency = \$50,000 (excl. HST)
 - c. Engineering = \$46,000 (excl. HST)

The Phase 2 Construction Cost is based on NBDTI securing funds by March 1, 2024. If funding is delayed, then Construction Cost may be subject to adjustments. In addition, the Contractor (Caldwell & Ross) has agreed to complete Phase 1 without any guarantee that Phase 2 will proceed. It is therefore recommended to award the contract to the lowest bidder Caldwell & Ross \$2,828,250 (excl. HST) and to complete the work in two (2) phases. Phase 1 would be for a total Construction amount of \$2,255,575.00 (excl. HST) and Phase 2 Construction amount would be for a total Construction amount of \$572,675.00 (excl. HST) but would only be authorized to proceed following the confirmation that the additional funding has been secured by NBDTI.

Yours very truly,

Englobe Corp.



Andy Caldwell, PTech

Project Manager

Cc. Pierre Plourde, P. Eng - Service Director - Englobe Corp.