

Municipality of Chatham-Kent
Infrastructure and Engineering Services
Engineering Division

To: Mayor and Members of Council

From: Brendan Falkner, P.Eng.
Manager, Engineering

Date: June 1, 2023

Subject: Tender Award: Contract T23-218 – Mitchell’s Bay Retaining Wall and Laneway Improvements

Recommendations

It is recommended that:

1. The tender in the amount of \$1,427,521.09 (including HST) for the Mitchell’s Bay Retaining Wall and Laneway Improvements be awarded to Murray Mills Excavating & Trucking (Sarnia) Ltd.
2. The contract amendment in the amount of \$20,000.00 (including HST) for additional consulting services during the construction of the Mitchell’s Bay Retaining Wall and Laneway Improvements project, be approved to Dillon Consulting Limited.
3. The Mayor and Clerk be authorized to sign the necessary agreement.

Background

The Municipality of Chatham-Kent owns and is responsible for the maintenance and upkeep of the Mitchell’s Bay Pier and the approaching Main Street laneway, located within the Municipality’s Right-of-Way on the shore of Lake St. Clair in Mitchell’s Bay.

The Mitchell’s Bay Pier area has an unknown date of construction; however, it is estimated to have been constructed around 1928. The existing retaining wall structure located along the south edge of the laneway/parking area is exhibiting signs of potential rotation, causing deterioration of the asphalt surface adjacent to the wall.

A condition assessment and underwater inspection of the site was conducted by Dillon Consulting and their subconsultant Watech Services Inc., in January 2021 and November 2021. While no immediate safety concerns were noted, the inspections found a number of conditional issues that support the replacement of the existing retaining wall structure.

Following meetings with the Mitchell’s Bay Association, local taxpayers, and Councillors, the engineering services of Dillon Consulting were retained to complete the detailed design of a new steel sheet pile retaining wall, overall improvements to the approaching laneway, and installation of additional sidewalk in the adjacent park.

On March 1, 2022, the CAO awarded the direct appointment for Consulting Engineering Services for the detailed design of the Mitchell’s Bay Retaining Wall to Dillon Consulting Limited, in the amount of \$74,597.85 (including HST)



Figure 1. Mitchell’s Bay Main Street Laneway – Road Closure due to High Water Levels and Flooding in October 2020



Figure 2. Mitchell’s Bay Retaining Wall – Submerged Top of Retaining Wall and Deteriorated Edge of Asphalt



Figure 3. Mitchell’s Bay Pier – Settlement of Existing Concrete Retaining Wall Adjacent to Pier Sheet Pile Wall. Deteriorated Edge of Asphalt and Loss of Material

Comments

This contract consists of the following work:

- Removal of the existing concrete retaining wall on timber piles.
- Excavation and removal of the existing asphalt road surface and granular subbase.
- Supply and installation of a new steel sheet pile retaining wall, including cast-in-place concrete deadman anchors and tiebacks.
- Supply and installation of new catch basins and underground stormwater management, including a backflow check valve.
- Supply and installation of new granular backfill.
- Supply and installation of new hot-mix asphalt road surface and line painting.
- Supply and installation of new concrete sidewalk.
- Installation of additional handicap parking stalls.
- Site restoration.

The installation of a new steel sheet pile retaining wall will mitigate future flooding during high-water events, improve stormwater drainage during storm events, and improve public safety. New steel sheet pile retaining wall installations will provide approximately 50 years of service life.

Construction is expected to begin in July 2023 and be completed by October 30, 2023, with restoration works completed in Spring 2024. Full closure of the approaching Main Street laneway is expected, however, access to the pier area will be always maintained throughout construction.

It is recommended to amend the contract to Dillon Consulting Limited for the inspection and contract administration services for the construction of the Mitchell’s Bay Retaining Wall and Laneway Improvements. Due to additions to the scope of work during the detailed design phase of the project, Dillon Consulting is requesting additional funds to cover Contract Administration expenses expected during construction that were not accounted for in their original proposal.

In accordance with Purchasing By-law #166-2020, the purchasing tender was advertised on May 16, 2023, and closed on June 1, 2023. A total of twenty-two (22) potential bidding contractors (including contractors, sub-contractors, and suppliers) obtained a copy of the contract document from the Chatham-Kent Bids & Tenders website and six (6) tender bids were submitted. The bid results and ranking are outlined in Table 1.

**Table 1: Bid Results for T23-218
Mitchell’s Bay Retaining Wall and Laneway Improvements**

Rank	Bidder	Location	Amount (incl. HST)
1	Murray Mills Excavating & Trucking (Sarnia) Ltd.	Sarnia, ON	\$ 1,427,521.09
2	Clarke Construction Inc.	Blenheim, ON	\$ 1,475,780.00
3	South Shore Contracting of Essex County Inc.	Amherstburg, ON	\$ 1,686,739.70
4	Shoreline Restoration Ltd.	London, ON	\$ 1,816,356.35
5	Jones Group Ltd.	Amherstburg, ON	\$ 1,918,573.44
6	Facca Incorporated	Ruscom, ON	\$ 2,126,066.75

Dillion Consulting has reviewed the tenders and found them to be complete in all respects. It is the recommendation herein that the contract be awarded to Murray Mills Excavating & Trucking (Sarnia) Ltd. who submitted the lowest tender bid.

Areas of Strategic Focus

This report supports the following areas of strategic focus:

			
Economic Prosperity	Healthy & Safe Community	People & Culture	Environmental Sustainability
1.1			

Consultation

The tenders were digitally received by the Purchasing Division and reviewed by the Engineering and Transportation Division and by Dillon Consulting Limited.

Communication

During the preliminary and detailed design phases of the project, communication, and consultation with the members of the Mitchell’s Bay Association was held to gather input, confirm details of the design and layout of the reconstructed area.

The tender documents were posted on the Bids & Tenders website for prospective contractors to review. Unsuccessful bidders will be notified by the Purchasing Division through the Bids & Tenders website.

Road construction signage will be implemented in accordance with Ontario Traffic Manual Book 7 to inform residents of traffic impacts. Road closure notices will be issued for any roads required to be closed because of the work associated with this contract. Construction updates for this project will be posted to the Chatham-Kent Construction Project website (www.chatham-kent.ca/constructionprojects).

Diversity, Equity, Inclusion and Justice (DEIJ)

The installation of a new sheet pile wall and the rehabilitation of the approaching laneway, including the addition of multiple accessible parking stalls, enhances the accessibility and inclusivity within the community, ensuring equitable access to parking for all residents, visitors, and businesses.

Financial Implications**Table 2: Recommended Costs and Funding Summary**

Description	Total
A) Recommended Tender Costs	
Recommended Tender	\$1,263,293.00
Plus 13% HST	\$164,228.09
Total Cost (with HST)	\$1,427,521.09
Less 11.24% HST	(\$141,994.13)
Total Recommended Tender Costs	\$1,285,526.96
B) Recommended Contract Amendment Costs	
Contract Amendment – Dillon Consulting Limited	\$17,699.12
Plus 13% HST	\$2,300.88
Total Cost (with HST)	\$20,000.00
Less 11.24% HST	(\$1,989.38)
Total Recommended Contract Amendment Costs	\$18,010.62
Total Recommended Costs (Tender + Contract Amendment)	\$1,303,537.58
C) Recommended Funding	
Capital Reserve (76.7%)	\$1,000,000.00
Parking Lot Lifecycle Reserve (7.9%)	\$104,537.58
Road Lifecycle Reserve (7.7%)	\$100,000.00
Storm Lifecycle Reserve (3.5%)	\$45,000.00
Sidewalk Lifecycle Reserve (2.8%)	\$36,000.00
Streetlight Lifecycle Reserve (1.4%)	\$18,000.00
Total Recommended Funding	\$1,303,537.58
D) Total Project Costs (including HST) – To Date	
Original Consulting Design Contract – March 2022	\$74,597.85
Contract Amendment	\$20,000.00
Construction Tender Award	\$1,427,521.09
Total Project Costs	\$1,522,118.94

The contract amendment conforms with the Chatham-Kent Purchasing By-Law section 151, which states that “Council must approve amendments that result in an overrun of the approved budget”.

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Consulted and confirmed the content of the consultation section of the report by:

Jennifer Scherle, Manager, Purchasing and Accounts Payable

Attachments: Appendix A – Consultant Recommendation Letter