STAFF REPORT

TO: Committee of the Whole
FROM: James Haddou
FILE: 5330-20-GNPCC-Frontage

MEETING: June 9, 2020

SUBJECT: Greater Nanaimo Pollution Control Centre Frontage Trail - Construction Award

RECOMMENDATIONS

1. That the Board award the contract for construction of the Greater Nanaimo Pollution Control Frontage Trail to IWCE Excavation Ltd. for $524,771.00 (excluding GST) and a management reserve of $78,715.65 (15% of contract price) be established to accommodate additional expenses that may occur during the construction.

2. That the Board approve a continuation of work to Herold Engineering for engineering construction services including monitoring, field engineering, and support services for $70,000.00 (excluding GST) and a management reserve of $10,500.00 (15% of contract price) to accommodate additional expenses that may occur during the construction.

3. That the Board approve an amendment to the existing ten-year License Agreement with the City of Nanaimo to use the Regional District of Nanaimo lands at 3075 Shores Drive for the Neck Point Park trail network to include the Greater Nanaimo Pollution Control Frontage Trail.

SUMMARY

The design and construction of the Greater Nanaimo Pollution Control Centre (GNPCC) frontage trail is required by the City of Nanaimo under Bylaw 2011 No. 4500 as a condition of issuance of development and building permits for the GNPCC Secondary Treatment Upgrade Project. The costs associated with the new trail construction are within the Board approved GNPCC Secondary Treatment Upgrade Project budget allocation of $81,729,127.

An Invitation to Tender for the construction of the GNPCC Frontage Trail was publicly advertised on April 17, 2020. All proponents were asked to provide a detailed tender for the construction of the trail and associated riparian area enhancement. To limit physical interactions during the COVID-19 pandemic, the Invitation to Tender required that all tenders be submitted digitally via email, and the corresponding bid bond was required to be a digital e-bond, not a scanned copy of a physical bond. As per the Surety Association of Canada, a verifiable digital e-bond with digital signatures and seals is the only acceptable equivalent of an original paper bond; a scanned bond is not valid and does not provide the Owner any security. The Invitation to Tender closed on May 15, 2020 and eight Tenders were received. After technical and legal review, five tenders failed to comply with mandatory digital e-bond requirements and were rejected. The compliant bid results are as follows:
Herold Engineering reviewed the tenders and has recommended that the Regional District of Nanaimo (RDN) award the contract to the lowest compliant bidder: IWCE Excavation Ltd. RDN project and purchasing staff concur with the recommendation.

A portion of the trail extends within the riparian area of Walley Creek. The DFO has completed a review, and the construction can proceed.

BACKGROUND

The design and construction of the GNPCC frontage trail was required by the City of Nanaimo under Bylaw 2011 No. 4500 as a condition of issuance of development and building permits for the GNPCC Secondary Treatment Upgrade Project. The costs associated with the new trail construction are within the Board approved GNPCC Secondary Treatment Upgrade Project budget allocation of $81,729,127.

The new trail will replace the existing sidewalk along the north side of Hammond Bay Road between McGuffie Road and Shores Drive, along the GNPCC property. The existing sidewalk will be demolished and replaced with a three-metre-wide walking and biking trail, offset from Hammond Bay Road by a boulevard including boulevard trees. A new bus pullout has been included in the design and construction to help reduce congestion on Hammond Bay Road. RDN Transit has allocated $90,000 to help offset the construction cost.

Portions of the new trail will extend into the RDN’s property. To allow public use of the trail on RDN property, a License of Use Agreement is required with the City to transfer responsibility for the trail to the City. The RDN and the City of Nanaimo have an existing License of Use Agreement allowing the City to use parts of the GNPCC property for their Neck Point trail system. An amendment to the existing agreement is proposed to include the GNPCC frontage trail. The amendment has been approved and signed by the City of Nanaimo.

A large area of invasive species removal and new native plantings adjacent to the new trail has been included within the project scope to enhance the environmental quality within Walley Creek’s riparian area. Although the project is expected to result in a net benefit to the riparian area, the RDN submitted a Request for Review to the DFO to demonstrate a high degree of due diligence and ensure any potential environmental concerns are addressed. The DFO completed its review, and the construction can proceed.

ALTERNATIVES

1. That the Board award the contract for construction of the Greater Nanaimo Pollution Control Frontage Trail to IWCE Excavation Ltd. for $524,771.00 (excluding GST) and a management reserve of $78,715.65 (15% of contract price) be established to accommodate additional expenses that may occur during the construction.

2. That the Board approve a continuation of work to Herold Engineering for engineering construction services including monitoring, field engineering, and support services for
$70,000.00 (excluding GST) and a management reserve of $10,500.00 (15% of contract price) to accommodate additional expenses that may occur during the construction.

3. That the Board approve an amendment to the existing ten-year License Agreement with the City of Nanaimo to use the Regional District of Nanaimo lands at 3075 Shores Drive for the Neck Point Park trail network to include the Greater Nanaimo Pollution Control Frontage Trail.

4. Provide alternate direction to staff.

FINANCIAL IMPLICATIONS

The recommendations in this report are within the approved GNPCC Secondary Treatment Upgrade Project budget:

- Award of construction contract to IWCE Excavation Ltd. $524,771.00 (excluding GST)
- Management reserve for construction $78,715.65 (excluding GST)
- Continuation of work award to Herold Engineering for construction services $70,000.00 (excluding GST)
- Management reserve for construction monitoring $10,500.00 (excluding GST)

STRATEGIC PLAN IMPLICATIONS

Environmental Stewardship - Protect and enhance the natural environment, including land, water, and air quality for future generations.

Environmental enhancement of the riparian area of Walley Creek.

James Haddou, P.Eng.
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May 21, 2020

Reviewed by:
- D. Taylor, Manager, Engineering Services
- K. Felker, Purchasing Manager
- S. De Pol, Director, Water and Wastewater
- D. Pearce, General Manager, Transportation and Emergency Services
- R. Alexander, General Manager, Regional and Community Utilities
- P. Carlyle, Chief Administrative Officer

Attachments:
1. Recommendation of Award Letter 2020 05 20
2. Modification of License signed – by City