



**SUBJECT: Halton Court Services Courthouse Single Source
Procurement for Millwork**

TO: Committee of the Whole

FROM: Legal Department

Report Number: L-16-18

Wards Affected: Ward 6

File Numbers: 215-01 & 465-01

Date to Committee: April 3, 2018

Date to Council: April 23, 2018

Recommendation:

Authorize the city solicitor or her designate to exercise discretion to enter into a non-competitive procurement process (single source) for the selection of a vendor for the design/construction/installation of millwork at the new provincial offences court, as outlined in legal department report L-16-18.

Purpose:

The purpose of this report is to seek Council approval to engage in a non-competitive procurement process (single source) for the selection of a vendor for the design/construction/installation of millwork at the new provincial offences court.

An Engaging City

- Good Governance

Background and Discussion:

As members of committee are aware, the city is engaged in a design/build/leaseback arrangement for the construction of the new courthouse to house Halton Court Services. When the statement of requirements was developed for inclusion in the Request for Proposals, there were 2 elements that were specifically excluded from the scope of

work, namely the furniture, fixtures and equipment (FFE) and the design/construction/installation of the millwork. The city had anticipated proceeding to acquire those services through a competitive procurement process. Budgets for these elements were struck and approved as the city's costs on behalf of our court services partners when the project was approved by the municipal partners to proceed.

The city retained Colliers to provide project management services on the project to liaise with the contractor on site and to oversee the work that the city was to undertake. As one can appreciate, there is a great deal of coordination that has to occur to deliver this project, and have the new courthouse operational for January 2019. The project manager has recommended that the city may want use the same vendor as the contractor is using to complete its portion of millwork in the facility (ex. door jams). The following benefits have been identified:

- Using the same vendor will ensure consistency of the quality, materials and hues of the millwork.
- Better on-site coordination of work is achieved as the contractor is dealing with one as opposed to two millwork companies.
- There is an opportunity to expedite the installation of millwork when the contractor is working with just one company. This is important when the timelines for the delivery of the project are both tight and critical to the continuity of court operations.
- There may be an opportunity to obtain more favourable rates where all of the millwork is sourced from a single supplier.

Strategy/process

Section 14.8 of the city's procurement by-law provides that goods and services may be procured through a non-competitive process where certain criteria are met. The Manager of Procurement is supportive that the criteria for single sourcing the work has been satisfied and supports the approach outlined in this report. Given that the anticipated cost of the city's share of the millwork will be in excess of \$100,000.00, council approval is required.

Note that the discretion to single sourcing the city's component of the work to the contractor's millworker will be contingent upon the following:

- The price quoted is within the budget and contingency approved by the municipal partners for this component of the project.
- Staff is satisfied with the qualifications of the contractor's millworker.

Options considered

This report seeks authority to exercise discretion to single source the millwork. The city may choose not to exercise the discretion and proceed with a competitive procurement process if the quote is not within the approved budget or the city is not satisfied with the contractor's millworker.

Financial Matters:

As discussed.

Total Financial Impact

N/A

Source of Funding

This work will be funded from the budget approved by the municipal partners for the partners' share of the work.

Other Resource Impacts

N/A

Connections:

Halton Court Services municipal partners: Region of Halton, Town of Oakville, Town of Milton, Town of Halton Hills.

Public Engagement Matters:

N/A

Conclusion:

Staff respectfully request that they be given discretion to proceed with a single source procurement method for millwork.

Respectfully submitted,

Nancy Shea Nicol

City Solicitor & Director of Legal Services

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Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.