

**Listing of Non-Competitive Procurement Activity by Change PO
Q4 (Oct-Dec) 2023**

PO DATE & PO LAST CHANGE DATE	PO #	*REGION DEPARTMENT	ORIGINAL PO TYPE	CHANGE PO TYPE	SUPPLIER	PO LINE DESCRIPTION	ORIGINAL PO VALUE	CHANGE IN VALUE **	CURRENT PO VALUE	TOTAL VALUE FORMALLY PROCURED	TOTAL VALUE SINGLE SOURCE	SCOPE CHANGE, JUSTIFICATION, BY-LAW REF and RATIONALE FOR INCREASE IF SINGLE SOURCE
2017-05-03 2023-12-28	21719	Public Works	FRM	SNG	Associated Engineering (Ont.) Ltd.	2016-RFP-56 - Port Weller WWTP Bar Screen Replacement	\$111,989.00	\$376,342.00	\$488,331.00	\$111,989.00	\$376,342.00	Pursuant to a competitively procured and awarded contract for the Port Weller WWTP Bar Screen Replacements, a total of 5 non-competitive PO change requests were approved in accordance with the purchasing authority (Schedule B) of the Procurement By-law. The PO changes include: the addition of a site survey, hydraulic analysis, review of SCADA data and production of a hydraulic profile in order to determine whether the proposed step-style bar screens will meet requirements. Change Orders are in accordance with Niagara Region Purchasing By-law 02-2016, Section 18(a)(i) as Associated Engineering is familiar with this immediate area and this work is directly related to the system that is being upgraded as part of the project.
2016-04-04 2023-11-24	2645	Public Works	FRM	SNG	Kerry T Howe Engineering Limited	2015-RFP-58 - RR81 King Street/ 2015-RFP-58 - RR81 King Street - Contingency	\$191,152.25	\$314,581.87	\$505,734.12	\$191,152.25	\$314,581.87	Pursuant to a competitively procured and awarded contract for the Road & Drainage improvements on RR81 King Street in Lincoln, a total of 6 non-competitive PO change requests were approved in accordance with the purchasing authority (Schedule B) of the Procurement By-law. The requests are for: an extension to an existing contract which has been delayed, due to numerous factors. In accordance with Niagara Region Purchasing By-law 02-2016, Section 18. (a) Bid Solicitations are not required for Single Source Purchases, provided that any of the following conditions apply: Clause 18 – Item (i) – “the compatibility of a Purchase with existing equipment, product standards, facilities or service is a paramount consideration”

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2023-06-01 2023-11-07	120983	Public Works	FRM	SNG	Arcadis Professional Services (Canada) Inc.	2022-RFP-38 Nickel SPS - 20001360 - New PO to accommodate IBI name Change to Arcadis Professional Services	\$112,922.98	\$102,201.75	\$215,124.73	\$112,922.98	\$102,201.75	Arcadis was retained through a competitive bid process and awarded detailed design and tendering of the Nickel Street SPS Upgrade project on April 20, 2022. The scope of the project included a full station upgrade including; pumps, piping, valves, metering, instrumentation, electrical systems, mechanical systems, generator replacement, and site security upgrades. Due to additional findings through the design process and requests from the Niagara Region, there is a need to increase the scope of the project. The change order is to cover scope change resultant from the Region's Design Standards update September 2023 to ensure the station adheres to current regional standards. This Change PO is a single source assignment to help ensure continuity of the work, This change is in accordance with Niagara Region Purchasing By-law 02-2016, Section 18(a)(i) as Arcadis is familiar with this immediate area having completing previous work.

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2020-12-16 2023-10-31	85727	Public Works	FRM	SNG	Morrison Hershfield	2020-RFP-142 - Ontario Street Watermain Replacement - Town of Lincoln	\$170,256.80	\$463,841.60	\$634,098.40	\$390,782.40	\$243,316.00	Morrison Hershfield (MH) was retained through a competitive bidding process to complete the detailed design, tendering and CA&I services for the Ontario St. Sanitary Sewer & Watermain Replacement project. CA&I services were provisional items. Fees for the provisional items were received and evaluated as part of the competitive bid process, but were not awarded. After award, the Town of Lincoln approached the Niagara Region to include the design and replacement of their sanitary main along Ontario St. at the same construction period as the watermain to prevent multiple construction projects along Ontario St. over multiple years. The RFP stipulated a specific number of hours for CA, but Niagara Region's WWW standards for construction support have increased the required hours for CA and years of experience for the CA and SI on Tier 1 projects. The Town of Lincoln also requires CA&I services for the construction of their sanitary main. The Region & Town of Lincoln will be entering into a cost sharing agreement to ensure the costs incurred by the Town are recovered by the Region. The 2 PO Change orders include: increased duration of overall construction and heightened public engagement with on-site communication and notices with local residents during construction due to the amount of traffic in the area leading to additional CA&I fees. This increase in support from the consultant provides the Region with proper oversight and inspection during construction to ensure that the project is constructed in compliance with the drawings and specifications. Change POs are in accordance with Niagara Region Purchasing By-law 02-2016, Section 18(a)(i) as MH is familiar with this immediate area having completed the design and tendering process for the project.

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2018-09-27	47670	Public Works	FRM	SNG	Waste Innovators Niagara Inc.	2018-T-13 - Bridge Street -2018 Drop-off Depot Ops, Compost Ops / 2019 Bridge Street Drop-off Depot, Compost Ops / 2020 Bridge Street Drop-off Depot	\$2,346,499.80	\$393,254.80	\$2,739,754.60	\$2,505,717.60	\$234,037.00	Pursuant to a competitively procured and awarded contract for Bridge Street Operations a total of 5 PO change requests were approved in accordance with the purchasing authority (Schedule B) of the Procurement By-law. Four (4) of the PO changes were formal to increase the estimated annual amounts once CPI values were known and could be applied to the original annual submission price as per the RFT. The final PO change was deemed single source as a 5-month extension to the contract term was required in order to maintain operations and was in accordance with Niagara Region Purchasing By-law 02-2016, Section 18. (a) Bid Solicitations are not required for Single Source Purchases, provided that any of the following conditions apply: Clause 18 – Item (i) – “the compatibility of a Purchase with existing equipment, product standards, facilities or service is a paramount consideration”
2020-04-24 2023-12-05	75944	Community Services	FRM	SNG	Community Care St. Catharines & Thorold	2020 - NEEF	\$187,500.00	\$742,500.00	\$930,000.00	\$717,500.00	\$212,500.00	Pursuant to a competitively procured and awarded contract for Niagara's Emergency Energy Fund (NEEF) a total of 10 PO change requests were approved in accordance with the purchasing authority (Schedule B) of the Procurement By-Law. Five (5) change POs were formal to increase the total POs funds to cover the additional operational years and allocated funds as part of the original RFP award. One (1) change PO was Single Source as an extension to the overall term, and four (4) additional change POs were processed as part of the extension term to add allocated funds. All changes were made in accordance with Niagara Region Purchasing By-law 02-2016 with the extension was in accordance with Section 18. (a) Bid Solicitations are not required for Single Source Purchases, provided that any of the following conditions apply: Clause 18 – Item (i) – “the compatibility of a Purchase with existing equipment, product standards, facilities or service is a paramount consideration”

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2022-07-19 2023-12-29	108071	Corporate Services	FRM	SNG	Airon HVAC & Control Ltd.	2022-T-50 - Niagara AX to N4 Upgrade Construction Base Scope Except LTC and Rosehill/ 2022-T-50 - Niagara AX to N4 Upgrade - Contingency 10%/ 2022-T-50 - Construction Scope - LTC Home Deer Park Villa/ 2022-T-50 -Construction Scope related to Rosehill Water Treatment Plant/ 2022-T-50 - Provisional Item: Licensing for 3 Years after warranty. For all except 2 - LTC Homes	\$330,931.00	\$131,100.00	\$462,031.00	\$330,931.00	\$131,100.00	A formal procurement was completed and awarded to purchase licensing for all Niagara N4 JACE devices for 3 years after warranty. The project involved replacing the existing head end BAS controllers at each of the 14 buildings that are in scope and then migrate the buildings onto the new N4 platform and update the graphics, point names etc. for each building in line with the Regions newly developed BAS standards. On August 19, 2022 the Building Automation System (BAS) at Woodlands of Sunset critically failed. The root cause of this failure was the main board controlling the BAS, a legacy Siemens component. This product has not been manufactured for almost a decade and the needs the system to be replaced in its entirety. When the system initially failed all air handling and temperature control systems also failed putting the health and safety of 120 vulnerable residents at risk and jeopardizing compliance with the Fixing Long Term Care Act 2021 (FLTCA) and Ontario Regulation (O. Reg) 246/22. This change PO was made in accordance with Niagara Region Purchasing By-law 02-2016, Section 18.(a) Bid Solicitations are not required for Single Source Purchases, provided that any of the following conditions apply: (i) the compatibility of a Purchase with existing equipment, product standards, facilities or service is a paramount consideration; (III) there is an absence of competition for technical reasons and the Goods and/or Services can only be obtained by a particular Supplier (iv) an unforeseeable situation of urgency exists and the Goods and/or Services cannot be obtained in time by means of open procurement procedures

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2023-02-23 2023-11-24	117003	Public Works	NGN	NGN	N-Viro Systems Canada Inc.	Garner Road Biosolids Facility & Niagara Falls (Stanley Ave.) WWTP - Dewatered Biosolids Haulage/Transportation and Processing for the period January 1st – December 31st 2023	\$3,495,000.00	\$150,000.00	\$3,645,000.00	\$0.00	\$3,645,000.00	N-VIRO provided haulage/ transportation and further processing of dewatered biosolids produced by Niagara Region for ultimate land application as N-RICH Soil product since Sep 2 2004. PW Committee & Regional Council carried to approve a ten (10) year renewal of the Contract Agreement with N-Viro for the services. During 2023 additional production was required to accommodate plant needs while the primary digester was offline for cleaning. The reduced capacity through the remaining secondary digester and holding tanks equated to a higher volume of solids that were required to be removed from the plant process. Per bylaw 02-2016 section 19(a) which applies to contract (802) between Niagara Region and N-Viro, schedule "B" indicates a value of greater than \$100,000 to \$250,000 would require Department Commissioner and Commissioner of Corporate Services/Treasurer approvals.
2022-03-08 2023-11-29	103024	Community Services	SNG	SNG	UWAD Healthcare Inc.	Nursing Staff UwAD Healthcare	\$9,000.00	\$165,035.00	\$174,035.00	\$0.00	\$174,035.00	UWAD is Single Sourced as a Staffing Agency for Nursing Staff. Fourteen (14) Change orders have been completed for increased services.
2023-01-18 2023-11-13	115449	Public Works	SNG	SNG	Brock Ford Sales Inc.	2023 Fleet - OEM PARTS, Parts Only Billing/ 2023 Fleet - OEM Service Billings Only	\$20,000.00	\$110,000.00	\$130,000.00	\$0.00	\$130,000.00	Brock Ford is authorized OEM Parts provider for Ford Vehicles and these purchases included parts procured to repairs NRPS vehicles. This PO and five (5) change POs were made in accordance with the Procurement By-Law, Section 18. (a) (i) the compatibility of a Purchase with existing equipment, product standards, facilities or service is a paramount consideration; (iii) there is an absence of competition for technical reasons and the Goods and/or Services can only be supplied by a particular Supplier.

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2023-01-16 2023-11-14	115269	Public Works	SNG	SNG	B & C Truck Centre	2023 B&C MACK TRUCK DEALER OEM PARTS/ 2023 B&C MACK TRUCK DEALER OEM SERVICE AND REPAIR/ 2023 Non-OEM Consumable Parts	\$25,000.00	\$160,000.00	\$185,000.00	\$0.00	\$185,000.00	B&C Truck Centre is the OEM (Original Equipment Manufacturer) dealer and sole distributor in Niagara of Mack Truck Goods and Services for Niagara Region vehicles. This PO and the four (4) subsequent change POs for Mack Truck OEM parts, service and non-OEM consumable parts were procured in accordance with the Niagara Region Purchasing By-law 02-2016, Section 18. (a) (i) the compatibility of a Purchase with existing equipment, product standards, facilities or service is a paramount consideration; (iii) there is an absence of competition for technical reasons and the Goods and/or Services can only be supplied by a particular Supplier; (iii) there is an absence of competition for technical reasons and the Goods and/or Services can only be supplied by a particular Supplier
2018-01-31 2023-12-18	35384	Community Services	SNG	SNG	Clark Marketing Communications	2018 - SaaS Agreement/ 2018 - Maintenance and Hosting Agreement/ 2019 - SaaS Agreement/ 2019 - Maintenance and Hosting Agreement/ Change Request - 10.01.2018	\$86,400.00	\$975,566.59	\$1,061,966.59	\$0.00	\$1,061,966.59	This software was single sourced in 2016 for Building Employment Networks Niagara (BENN) Application Development when EOI response was not satisfactory. Procurement By-Law, Single Source Justification - (iii) there is an absence of competition for technical reasons and the Goods and/or Services can only be supplied by a particular Supplier a Sole Source is being recommended. Change POs include additional extensions to the term as well as additional portals for use. These change POs were processed in accordance with the Procurement By-Law, Section 18: (i) the compatibility of a Purchase with existing equipment, product standards, facilities or service is a paramount consideration (the technology is an enhancement to the BENN system and further modernizes the delivery of social assistance – bending the curve on the Ontario Works caseload; (iii) there is an absence of competition for technical reasons and the Goods and/or Services can only be supplied by a particular Supplier a Sole Source is being recommended (Clark Communication was single sourced for the Bend the Curve project after issuing an EOI (bids did not align with project requirement)); (vi) for matters involving security, police matters or confidential issues, in which case a Purchase may be made in a manner that protects the confidentiality of the Supplier or the Corporation (Privacy Impact Assessment and data storage requirements are in place with Clark Communications)

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2022-11-02 2023-12-07	112013	Public Works	SNG	SNG	WSP E&I Canada Limited	Decew Berm Leak - Spillway Design Repairs	\$15,019.77	\$489,758.21	\$504,777.98	\$0.00	\$504,777.98	Originally sourced as per Niagara Region Purchasing By-law 02-2016, Section 17(a) Special Circumstance, approval was acquired in accordance with Schedule B. Special Circumstance applies to this situation as it is an event that unless immediately addressed is likely to cause significant loss or damage to the Region and Morningstar Mill property. WSP E&I Canada Limited is familiar with this immediate area having completed the original geotechnical investigation, design for the Phase 1 temporary repair works and ongoing investigation and preliminary design for the permanent repair works. Phase 2 work could not be properly scoped or priced until Phase 1 work was complete. Following initial award, three (3) change orders were processed for additional engineering fees and inspection services. Change POs are in accordance with Niagara Region Purchasing By-law 02-2016, Section 18(a)(i) as WSP EA&I Canada Limited is familiar with this immediate area having completing the original Geotechnical investigation & ongoing detailed design for the rehabilitation works.
2023-01-09 2023-12-05	114739	Public Works	SNG	SNG	Viking-Cives Group	2023 Viking-Cives OEM PARTS	\$10,000.00	\$130,000.00	\$140,000.00	\$0.00	\$140,000.00	Viking Cives was originally procured for OEM parts as per Procurement By-Law section 12. Department Representatives are authorized to procure Goods and/or Services up to a total value of \$10,000, excluding taxes. Viking Cives group is the OEM (Original Equipment Manufacturer) and sole distributor of plow parts used on Niagara Region winter maintenance vehicles. Three (3) change POs for additional parts were processed in accordance with the Procurement By law, Section 18. (a) (i) the compatibility of a Purchase with existing equipment, product standards, facilities or service is a paramount consideration; All these costs are recoverable 100% as we bill the repairs back to client group so no actual costs to fleet.

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2019-05-29 2023-11-09	60072	Public Works	SPE	SNG	Kerry T Howe Engineering Limited	Dain City Forcemain Replacement- Contract Administration/ Change PO	\$186,399.36	\$582,977.14	\$769,376.50	\$0.00	\$769,376.50	The Dain City SPS Forcemain needed critical replacement. Design for the replacement of the temporary main was completed by Kerry T. Howe Engineering Limited (KTH) and their familiarity with the entire service area, the emergency work completed to date, and their availability to commence work immediately, will allow them to expedite this assignment without delay. This is urgent due to the public safety and health concerns and to avoid a reoccurrence of basement flooding and property damage due to the likelihood of further forcemain breaks. This PO was processed in accordance with the Procurement By-Law, Clause 17 Special Circumstance and Clause 18 (a) (iv) an unforeseeable situation of urgency exists and the Goods and/or Services cannot be obtained in time by means of open procurement procedures. All four (4) change POs are for additional CA and CI fees due to delays with the construction phase.
2022-01-07 2023-11-29	100521	Community Services	SPE	SPE	UWAD Healthcare Inc.	Agency Staffing - Upper Canada Lodge	\$10,000.00	\$328,800.00	\$338,800.00	\$0.00	\$338,800.00	UWAD is Single Sourced in accordance with the Procurement By-Law, Section 17. Special Circumstance as a Staffing Agency for Nursing staff services at Upper Canada Lodge. Due to the Covid-19 pandemic and staff shortages it is crucial for the home to use agency staff to ensure staffing levels are appropriate for UCL residents care. COVID-19 has presented an exceptional and unforeseen situation that is likely to pose a threat to the health and safety of residents and staff. The pandemic has created staffing shortages which the home could not solve without the usage of agency services. Seven (7) Change orders have been completed for increased services.

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2023-07-25 2023-12-28	123059	Community Services	SPE	SPE	Pinkerton Consulting & Investigations (CANADA) Inc.	Pinkerton - 1:1 staffing requirement for HIN	\$2,600.00	\$117,400.00	\$120,000.00	\$0.00	\$120,000.00	A service agreement previously existed with Pinkerton Consulting and Investigations Inc. for the provision of one to one compassionate care services. This is required for a resident due to their behaviours and the safety of others. This coverage will be submitted to the Ministry for High Intensity Needs funding. This service is procured in accordance with Niagara Region's Procurement By-Law, Section 18. (a)(iv) an unforeseeable situation of urgency exists and the Goods and/or Services cannot be obtained in time by means of open procurement procedures. Three (3) change POs have been processed due to increased staffing requirements.

* NRPS, NRH and NTC are not included in the datasets outlined herein as these agencies operated under their own Procurement By-law and/or Governing Bodies
 ** Existing system reports are generated at a point in time and POs may have multiple change orders over the reporting period. As such, it is difficult to distinguish dollar values where Change POs (amendments) were formally procured and those which were additional in scope (Single Source); the totals in the reports represent the cumulative of both amounts.
 *** All Purchase Orders referenced herein were created with a minimum mandatory reference to the applicable By-law section and exception and a detailed and appropriate justification which supported the referenced exception; staff implemented they were created in alignment with initiatives which addressed control deficiencies outlined in the previous audit (as evidenced in the findings outlined in Report AC-C 16-2023), and all were approved in accordance with the authorities for non-competitive procurement as outlined in the Procurement By-law.