

**Listing of Non-Competitive Procurement Activity by Change PO  
Q2 (Apr-Jun) 2024**

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2021-11-08 2024-04-05	98167	Public Works	FRM - SNG	GM BluePlan Engineering Limited	2021-RFP-152 - 2021 Biosolids Management Master Plan	\$ 491,449.00	\$ 607,767.00	\$ 116,318.00	\$491,449.00	\$ 116,318.00

**SCOPE CHANGE, JUSTIFICATION, BY-LAW REF and RATIONALE FOR INCREASE IF SINGLE SOURCE**  
 In 2010, Niagara Region initiated a Biosolids Management Master Plan (BMMP), to provide direction for management of biosolids and water treatment residuals, generated by its current water (6) and wastewater (10) treatment plants, to the year 2031. Regulatory and environmental changes have occurred, including risk management in biosolids management, relative to long-term investment, and considerations of the Nutrient Management Act, watershed source protection, water quality, and public expectations. GM BluePlan (GMBP) was initially retained through competitive bid process 2021-RFP-152 and awarded the 2021 Biosolids Management Master Plan Update. Due to additional efforts required throughout the project review period, and to now finalize the report, as well as opportunities to now incorporate additional relevant information for more holistic recommendations, there is a need to increase the scope of the assignment. 18(a)(i) the compatibility of a Purchase with existing equipment, product standards, facilities or service is a paramount consideration; this scope of work is a continuation of and directly related to GMBP’s current scope assignment.

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2022-03-21 2024-06-12	103517	Public Works	FRM - SNG	SPAND CONSTRUCTION LTD.	2021-T-288 - Line 2 SPS Upgrade - Tender	\$ 618,088.00	\$ 747,770.46	\$ 129,682.46	\$618,088.00	\$ 129,682.46

**SCOPE CHANGE, JUSTIFICATION, BY-LAW REF and RATIONALE FOR INCREASE IF SINGLE SOURCE**  
 SPAND Construction Ltd. was initially retained through a competitive bid process 2021-T-288 Line 2 SPS Upgrade and awarded the contract on March 21, 2022. Due to additional findings during construction and requests from the Niagara Region, there is a need to increase the scope of the project. 18(a)(i) the compatibility of a Purchase with existing equipment, product standards, facilities or service is a paramount consideration; SPAND Construction Ltd is familiar with this immediate area and this work is directly related to the system that is being upgraded as part of the project.

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2019-11-01 2024-04-12	67115	Public Works	FRM - SNG	R.J. Burnside & Associates Limited	2019-RFP-243 - Garner Road Dewatering Facility Upgrade Design	\$ 148,260.18	\$ 377,398.68	\$ 229,138.50	\$148,260.18	\$ 229,138.50

**SCOPE CHANGE, JUSTIFICATION, BY-LAW REF and RATIONALE FOR INCREASE IF SINGLE SOURCE**  
R.J. Burnside was retained through a competitive bid process (2019-RFP-243) and awarded the detailed design and tendering of the Garner Road Dewatering Facility Upgrade Design Project on Nov. 1, 2019. There is a need to increase the scope of the assignment due to additional SUE investigation, design of the Administrative building in the front of the property, and dump pad investigation for the ECA Amendment. 18(a)(i) the compatibility of a Purchase with existing equipment, product standards, facilities or service is a paramount consideration; as R.J. Burnside is familiar with this immediate area and this work is directly related to the system that is being upgraded as part of the project.

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2021-04-14 2024-04-16	90653	Public Works	FRM - SNG	Associated Engineering (Ont.) Ltd.	2021-RFP-17 - RR34 Seventh St Bridge RFP for Detailed Design	\$ 116,780.00	\$ 414,895.00	\$ 298,115.00	\$116,780.00	\$ 298,115.00

**SCOPE CHANGE, JUSTIFICATION, BY-LAW REF and RATIONALE FOR INCREASE IF SINGLE SOURCE**  
The original purchase underwent a competitive procurement process. The Contract Administration, Inspection, Geotechnical Materials Testing and Post Construction documentation was included as a Provisional Section in 2021-RFP-17 and was evaluated competitively at that time. However, due to budget allocation timing the anticipated construction timing of this project was delayed and the consultant is seeking additional fees based on this variance. 18(a)(i) the compatibility of a Purchase with existing equipment, product standards, facilities or service is a paramount consideration; continuation of the current consulting assignment in order to maintain quality and control to ensure the designs being completed during construction, meet the required Regional, Provincial and Municipal standards.

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2023-01-06 2024-04-04	114606	Public Works	FRM - SNG	Elite Group(1073968 5 Canada Inc.)	2022-T-206 Port Dalhousie Boiler Replacement RFT/ 2022- T-206 Port Dalhousie Boiler Replacement RFT	\$ 635,900.00	\$ 943,583.00	\$ 307,683.00	\$635,900.00	\$ 307,683.00

**SCOPE CHANGE, JUSTIFICATION, BY-LAW REF and RATIONALE FOR INCREASE IF SINGLE SOURCE**  
 The Elite Group was retained through a competitive bid process RFT 2022-T-206 and awarded construction of the Port Dalhousie Boiler Upgrade. However due to additional findings during construction and requests from the Niagara Region, there is a need to increase the scope of the project. 18(a)(i) the compatibility of a Purchase with existing equipment, product standards, facilities or service is a paramount consideration; as The Elite Group is familiar with this immediate area and this work is directly related to the system that is being upgraded as part of the project.

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2021-04-09 2024-05-23	90421	Public Works	FRM - SNG	GM BluePlan Engineering Limited	2020-RFP-205 - Lakeshore Rd SPS - EA and Conceptual Design	\$ 154,531.00	\$ 595,956.00	\$ 441,425.00	\$154,531.00	\$ 441,425.00

**SCOPE CHANGE, JUSTIFICATION, BY-LAW REF and RATIONALE FOR INCREASE IF SINGLE SOURCE**  
 GM BluePlan (GMBP) was retained through competitive bid process (2020-RFP-205) and awarded Consulting Services for an Environmental Analysis and Enhanced Conceptual Design for the Lakeshore Road Sewage Pump Station on April 9, 2021. Assignment was for the completion of an Environmental Assessment (EA) and enhanced conceptual design of the preferred alternative, with potential for facility relocation. During completion of the EA, it was determined that expedited detailed design and tendering was required. During the ongoing design assignment, GMBP was asked to revisit design of the inlet valve chamber. Due to site limitations, this will now require further scope to complete the necessary design modifications. 18(a)(i) the compatibility of a Purchase with existing equipment, product standards, facilities or service is a paramount consideration; as GM BluePlan is familiar with the immediate area and has an in-depth knowledge of the station as a result of the ongoing Municipal Class EA and can complete the detailed design assignment in a timely manner meeting the project constraints and challenges; and 18(a)(iv) a situation of urgency exists; it is in the best interest of the project to single source this assignment as a competitive procurement process will extend the project schedule which would cause project delays and increase the risk of station failure impacting local residents, maintenance staff and the surrounding environment.

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2020-04-28 2024-04-17	76050	Public Works	FRM - SNG	Palmer Environmental Consulting Group Inc.	2020-RFP-20 - NFWWTP Secondary Treatment Upgrades - Geotechnical	\$ 145,065.00	\$ 577,060.00	\$ 431,995.00	\$145,065.00	\$ 431,995.00

**SCOPE CHANGE, JUSTIFICATION, BY-LAW REF and RATIONALE FOR INCREASE IF SINGLE SOURCE**  
Palmer Environmental Consulting Group (PECG) was initially retained through competitive bid process 2020-RFP-20, and awarded the 2020 Niagara Falls Wastewater Treatment Plant Geotechnical and Hydrogeological Investigation, for the Niagara Falls Wastewater Treatment Plant Secondary Treatment Upgrades project, on April 28, 2020. PECG was subsequently awarded provisional construction services. The plant has experienced ongoing operational issues which have led to issue of MECP provincial orders and a federal government warning letter. Due to discovery of significant soil and groundwater contamination during design, additional sampling and analysis during construction will be required, and there is corresponding need to increase the scope of the project in conjunction with the award of the provisional services. This work is critical and needs to be completed as soon as possible as the MECP has issued a compliance order related to the NFWWTP site.18(a)(i), the compatibility of a Purchase with existing equipment, product standards, facilities or service is a paramount consideration; as PECG is familiar with this immediate area having supported previous site design and construction activities.

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2020-12-16 2024-04-11	85727	Public Works	FRM - SNG	Morrison Hershfield	2020-RFP-142 - Ontario Street Watermain Replacement - Town of Lincoln	\$ 170,256.80	\$ 640,695.40	\$ 470,438.60	\$390,782.40	\$ 249,913.00

**SCOPE CHANGE, JUSTIFICATION, BY-LAW REF and RATIONALE FOR INCREASE IF SINGLE SOURCE**  
Morrison Hershfield was initially retained through a competitive bid process 2020-RFP-142 and awarded to complete the detailed design, tendering and contract administration and inspection services for the Ontario Street Sanitary Sewer & Watermain Replacement project on December 14th, 2020. Due to additional findings during construction, there is a need to increase the scope of the assignment. It was determined a realignment of the proposed infrastructure would reduce the amount of watermain and sanitary bypassing that would be required by the contractor in order to install the new watermain and sanitary sewer infrastructure as per the tendered drawings. Provisional CA&I was awarded, but with heightened public engagement, additional hours of CA&I were required. This increase in support provides the Region with proper oversight and inspection during construction to ensure that the project is constructed in compliance with the drawings and specifications. 18(a)(i) the compatibility of a Purchase with existing equipment, product standards, facilities or service is a paramount consideration; as Morrison Hershfield is familiar with this immediate area having completed the design and tendering process for the Ontario Street Sanitary & Watermain Replacement project.

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2023-12-21 2024-06-12	128594	Public Works	SNG - SNG	Rush Truck Centres of Canada Ltd.	2024 Rush Truck International - OEM Parts/ Rush Truck International - OEM Services & Repairs	\$ 19,999.00	\$ 330,000.00	\$ 310,001.00	\$0.00	\$ 330,000.00

**SCOPE CHANGE, JUSTIFICATION, BY-LAW REF and RATIONALE FOR INCREASE IF SINGLE SOURCE**  
Rush Truck Centre of Canada is the OEM (Original Equipment Manufacturer) dealer and sole distributor in Niagara of International Truck Goods and Services for Niagara Region vehicles. Original requested values based on 2021 spend. Change orders processed as need increased. 18.(a)(i) the compatibility of a Purchase with existing equipment, product standards, facilities or service is a paramount consideration.

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2023-03-01 2024-05-27	117164	Public Works	SNG - SNG	Atlas Dewatering Corporation	Stevensville Douglastown Lagoon Pumping	\$ 162,450.00	\$ 479,900.00	\$ 317,450.00	\$0.00	\$ 479,900.00

**SCOPE CHANGE, JUSTIFICATION, BY-LAW REF and RATIONALE FOR INCREASE IF SINGLE SOURCE**  
 Rehabilitation is required to address operational and sustainability concerns for the Stevensville-Douglastown lagoons. The lagoons were constructed in 1982 and have not had any significant upgrades since. This project is in two phases. The scope of this phase (phase 2) is the draining of Cell #1 to remove the accumulated sludge, and rehabilitate the berms to original specifications. Removing cell #1 from service during Construction, resulted in reduced capacity of the lagoons and caused the ammonia results to be out of compliance. A temporary pumping set-up needs to be re-installed in order to recirculate the contents of Cell #2. Without this the lagoons risk continuing to be out of compliance. Due to delays in executing Phase 2 and to keep the lagoons in compliance with the MECP, pumping requirements are needed for an extended period of time. 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; Atlas Dewatering Corporation are familiar with the Region's wastewater operations, and is already mobilized and running on site. Few service providers are able to offer this service, and extra time spent on competitive procurement can put the Region at risk of continued non-compliance.

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2019-05-29 2024-04-08	60072	Public Works	SPE - SNG	Kerry T Howe Engineering Limited	Dain City Forcemain Replacement- Contract Administration/ Change PO	\$ 186,399.36	\$ 827,635.66	\$ 641,236.30	\$0.00	\$ 827,635.66

**SCOPE CHANGE, JUSTIFICATION, BY-LAW REF and RATIONALE FOR INCREASE IF SINGLE SOURCE**  
 Kerry T. Howe Engineering (KTH) was initially retained under special circumstances and awarded detailed design, tendering, contract administration, and inspection (CA&I) of the Dain City Emergency Forcemain Replacement (Project) on May 29, 2019. Due to an extended construction duration, additional unforeseen work, and requests from the Niagara Region, there is a need to increase the scope of the assignment. 18(a)(i) as KTH is familiar with this immediate area as they are currently performing contract administration and inspection duties for Phase 4B and have already completed the detailed design for each phase along with the contract administration and inspection for each of the previous phases.

\*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.