
Subject: Corporate non-competitive procurement activities exceeding \$100,000

Report to: Corporate Services Committee

Report date: Wednesday, March 5, 2025

Recommendations

1. That Report CSD 9-2025 **BE RECEIVED** for information.

Key Facts

- The purpose of this report is to identify all Corporate non-competitive procurement activities between October 1, 2024, and December 31, 2024, by all Departments, which exceeded \$100,000.
- Council approval of PW 47-2021 (August 10, 2021) directed Staff to provide information reports to the Corporate Services Committee each quarter identifying all corporate non-competitive procurement activities that exceed \$100,000 in the intervening period.
- Niagara Region's Procurement By-law 02-2016 as amended February 28, 2019, identifies non-competitive appropriate criteria, procedures and Schedule "B" defines the approval authorities required for any non-competitive procurement activity.

Financial Considerations

The intent of the Procurement By-law is to ensure the appropriate balance of effective approval control and efficient utilization of resources to ensure "best value for the Corporation". All Corporate non-competitive procurement activities must have approved funding in place from either Capital or Operating budgets.

Analysis

Report PW 47-2021 presented at the August 10, 2021, Public Works Committee and approved by Council on August 26, 2021, recommended that:

- Staff provide information reports to the Corporate Services Committee each quarter identifying all corporate non-competitive procurement activities that exceeded \$100,000 in the intervening period.

This report details twenty-eight (28) corporate non-competitive procurement activities which exceeded \$100,000 with a total cumulative change value of \$20,863,978, between October 1, 2024, and December 31, 2024.

Appendices 1 and 2 detail the non-competitive purchases processed in accordance with the approved criteria, procedures and approval authorities required for any non-competitive procurements meeting the appropriate criteria as outlined in Procurement By-law 02-2016 as amended February 28, 2019.

Appendix 1: Straight Single Source

Fifteen (15) new non-competitive purchases totalling \$4,532,500 in value were identified as **“Single Source”** (Section 18) meaning that no competitive procurement process was utilized to acquire Goods and/or Service from the named Supplier even though there may be other Suppliers capable of delivery of the same.

These non-competitive purchases may include acquisitions which were considered Sole Source in that there is an absence of competition for technical reasons and only one supplier is capable of delivery of the same.

Appendix 2: Change PO Single Source

Thirteen (13) amendments (Change PO) to the original Purchase Order totalling \$16,331,478 (Single Source change value only). These amendments break down as follows:

- a) Nine (9) amendments (Change PO) to original **“Formal”** Purchase Orders totalling \$63,477,950 where \$15,498,478 were Single Source (as defined above).
- b) Four (4) amendments (Change PO) to original **“Single Source”** Purchase Orders totalling \$833,000 were Single Source (as defined above).

Alternatives Reviewed

None, though the Committee can suggest amendments to the reporting content and format.

Relationship to Council Strategic Priorities

This report aligns with Sustainable and Engaging Government, specifically objective 4.1: High Quality, Efficient and Coordinated Core Services.

Other Pertinent Reports

- [PW 47-2021 Special Procurement Rules for Public Works Single Source Exceeding \\$100,000](https://pub-niagararegion.escribemeetings.com/filestream.ashx?DocumentId=17647)
<https://pub-niagararegion.escribemeetings.com/filestream.ashx?DocumentId=17647>

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Appendices

Appendix 1	Non-competitive procurement activity by Single Source
Appendix 2	Non-competitive procurement activity by Change PO

BY-LAW SECTION**	PO DATE	PO #	REGION DEPARTMENT*	PO TYPE	PO VALUE (PRE-TAX)	SUPPLIER
17. Emergency	2024-12-11	143057	Community Services	SPE	\$233,146.82	The Hope Centre

PO JUSTIFICATION

South Niagara Shelter Expansion - Hope Centre - One Time Costs. Council approval on COM 29-2024. In alignment with the recommendations of the shelter capacity review, Niagara Region is moving forward with continued efforts to expand the local shelter system.

BY-LAW SECTION**	PO DATE	PO #	REGION DEPARTMENT*	PO TYPE	PO VALUE (PRE-TAX)	SUPPLIER
18.(a)(i) Compatibility	2024-11-21	142181	Corporate Administration	SNG	\$782,670.00	Kronos Canadian Systems Inc., A UKG Comp

PO JUSTIFICATION

Kronos is our existing time and attendance management software. Approved by Council, Report HR 8-2024.

BY-LAW SECTION**	PO DATE	PO #	REGION DEPARTMENT*	PO TYPE	PO VALUE (PRE-TAX)	SUPPLIER
18.(a)(iii) No Competition	2024-10-08	140406	Corporate Services	SNG	\$466,216.99	BMC Software Canada Inc.

PO JUSTIFICATION

Single sourcing the licensing to our ITSM product from 27-SEP-2024 to 26-SEP-2027 from BMC Remedy directly with the vendor.

BY-LAW SECTION**	PO DATE	PO #	REGION DEPARTMENT*	PO TYPE	PO VALUE (PRE-TAX)	SUPPLIER
18.(a)(i) Compatibility	2024-12-03	142587	Corporate Services	SNG	\$252,798.01	Hewlett-Packard Enterprise Canada Co.

PO JUSTIFICATION

This is the yearly renewal for our Hewlett Packard hardware and software maintenance, which includes full 24x7 4hr response support on all of the Niagara Region's HQ and DR data center systems, including all servers, network/tape storage, and the software layer that lies on them all. The hardware and software maintenance is required for all systems to ensure uptime and availability of all Niagara Region HP technology within our 2 data centers. This includes all critical applications and services that reside on servers, as well as network shares and storage (local and offsite/backup). In the event of HP hardware failure or software corruption, and with these services renewed, we are able to meet or exceed our RTO's and RPO's as part of our business continuity and disaster recovery plans for the Niagara Region. This HPE single source arrangement is in line with our purchasing by-law (section 18, paragraph a), and sub-paragraph i) as well sub-paragraph iii) there is an absence of competition for technical reasons and the Goods and/or Services can only be supplied by a particular Supplier. For this purchase, we are able to achieve significant discount off negotiated price for the Hardware and Support.

BY-LAW SECTION**	PO DATE	PO #	REGION DEPARTMENT*	PO TYPE	PO VALUE (PRE-TAX)	SUPPLIER
18.(a)(i) Compatibility & (iii) No Competition	2024-10-31	141315	Corporate Services	SNG	\$110,064.00	Teranet Inc.

PO JUSTIFICATION

The Region entered into a General Municipal Licence Agreement – OPMA Ownership Mapping Data Products - with Teranet Inc. July 15, 2004. This agreement provides for delivery of ownership and assessment parcel mapping used across the corporation for GIS, engineering, planning and more. This agreement and the first five years of deliveries of this data were approved by Council through report PWA-80-2004. Since then the agreement has been approved with slight amendments every five years. Teranet is the only organization that can provide the Ownership and Assessment Mapping to Municipalities and the Province.

BY-LAW SECTION**	PO DATE	PO #	REGION DEPARTMENT*	PO TYPE	PO VALUE (PRE-TAX)	SUPPLIER
18.(a) (iii) No Competition	2024-10-02	140161	Corporate Services	SNG	\$347,094.27	Oracle Canada ULC.

PO JUSTIFICATION

This is our standard annual software support renewal with Oracle for PeopleSoft financials and Hyperion. This renewal is required for us to receive updates & support for the following licenses: PeopleSoft Enterprise eprocurement, PeopleSoft Enterprise Project Costing, Oracle Hyperion Planning Plus, Oracle Hyperion Public Sector and Budgeting, Peoplesoft enterprise purchasing, PeopleSoft enterprise financials.

BY-LAW SECTION**	PO DATE	PO #	REGION DEPARTMENT*	PO TYPE	PO VALUE (PRE-TAX)	SUPPLIER
18.(a)(i) Compatibility	2024-11-14	141920	Corporate Services	SNG	\$114,684.00	Commissionaires Hamilton

PO JUSTIFICATION

After hours security services at the Regional Headquarters from Dec 2, 2024 – June 30, 2025 are required as a security measure to ensure the Regional Building is secured after hours. The available monitoring service is not capable of alerting the Police service in the event of a break-in; therefore, having security services after hours is highly recommended as an extra measure to ensure that the regional building is always secured. Commissionaires Inc. is the awarded security service provider for regional security needs. Given the urgency, it is more appropriate to request their services on such short notice.

BY-LAW SECTION**	PO DATE	PO #	REGION DEPARTMENT*	PO TYPE	PO VALUE (PRE-TAX)	SUPPLIER
18.(a)(i) Compatibility	2024-12-17	143361	Public Health & Emergency Services	SNG	\$220,000.00	Ecotex Healthcare Linen Services LP

PO JUSTIFICATION

Laundry service should be sole sourced from Ecotex based on the volume of service being provided at a centralized location; pick-up/delivery and cleaning of sheets, towels and pillow cases that the paramedics use at the hospitals. Service has been provided for 15 years from Mohawk Medbuy and now new owner Ecotex.

BY-LAW SECTION**	PO DATE	PO #	REGION DEPARTMENT*	PO TYPE	PO VALUE (PRE-TAX)	SUPPLIER
18.(a)(i) Compatibility	2024-12-16	143258	Public Works	SNG	\$773,731.98	Motorola Solutions Canada Inc.

PO JUSTIFICATION

The Royal Canadian Mounted Police conducted a procurement and secured pricing for Government partners for the purchase of 2-way radios. This guaranteed pricing was competitively procured and represents the best value for money that the Region can garner for a product of this nature. This project has been approved by Council in the 2024 capital budget.

BY-LAW SECTION**	PO DATE	PO #	REGION DEPARTMENT*	PO TYPE	PO VALUE (PRE-TAX)	SUPPLIER
18.(a)(i) Compatibility	2024-10-28	141174	Public Works	SNG	\$155,193.36	Hexagon PPM

PO JUSTIFICATION

Hexagon EAM is the software that is used to manage water and wastewater assets (linear and vertical) throughout the asset lifecycle and is integrated with other enterprise systems including Peoplesoft Financials, ArcGIS, and SCADA Historian.

BY-LAW SECTION**	PO DATE	PO #	REGION DEPARTMENT*	PO TYPE	PO VALUE (PRE-TAX)	SUPPLIER
17. Emergency	2024-11-01	141397	Public Works	SPE	\$109,157.69	ASI Group Ltd.

PO JUSTIFICATION

ASI Marine is the only contractor who has the capability and resources to complete this work to provide personnel and equipment to remove debris accumulation in the Rosehill WTP intake pipe. Through regular inspection it has been determined that the pipe is approximately 75% blocked and the chlorine diffuser is damaged. This work is time sensitive due to weather. Current debris accumulation in the intake pipe is placing the treatment plant at risk of reduced capacity.

BY-LAW SECTION**	PO DATE	PO #	REGION DEPARTMENT*	PO TYPE	PO VALUE (PRE-TAX)	SUPPLIER
19.(a)(viii) No Award	2024-11-11	141737	Public Works	NGN	\$215,810.00	Thurber Engineering Ltd

PO JUSTIFICATION

The Region issued 2024-T-184 to all prospective bidders to all on Category 1 of 2023-RFSQ-184 to submit bids for Geotechnical Investigations for East Side SPS Forcemain. The Region did not receive any submissions for this RFT. Following the close of the RFT, Associated Engineering was able to connect with industry proponents and understand a few factors influenced no submission, including that the industry is busy and that this work is specialized and not all roster consultants can complete this work. Associated Engineering was able to review the TOR with Thurber Engineering Ltd., along with a revised schedule, and obtained a quotation from them. Considering the industry is busy, the scope of work is specialized, and that the Region did not receive any submissions from the formal RFT process, it is recommended that we award of this assignment to Thurber.

BY-LAW SECTION**	PO DATE	PO #	REGION DEPARTMENT*	PO TYPE	PO VALUE (PRE-TAX)	SUPPLIER
18.(a)(i) Compatibility & (iv) Urgency	2024-10-17	140778	Public Works	SNG	\$382,520.00	SPD Sales Limited

PO JUSTIFICATION

SPD has already been granted an approved PO for purchase of chemical pump skids for Port Weller Wastewater Treatment Plant. The increase is required to cover the additional equipment required to support flow paced chemical dosing and to add redundancy in the pump skid equipment to allow for maintenance work and emergency use in the event of failure.

BY-LAW SECTION**	PO DATE	PO #	REGION DEPARTMENT*	PO TYPE	PO VALUE (PRE-TAX)	SUPPLIER
17. Emergency	2024-12-18	143456	Public Works	SPE	\$178,443.37	Alfidome Construction Niagara

PO JUSTIFICATION

Upon investigation a large Sink hole was discovered which appeared to have been developing over time and further erosion was observed. This indicated that the Overflow Pipe was failing or had already failed in spots and needed to be replaced immediately. This Overflow Pipe is located along the Twelve Mile Creek where there is a well-used recreational trail (The Twelve Trail) that the City of St. Catharines maintains in partnership with OPG. The failing Overflow Pipe represented significant risk and had the potential to cause major environmental damage and health and safety risks.

BY-LAW SECTION**	PO DATE	PO #	REGION DEPARTMENT*	PO TYPE	PO VALUE (PRE-TAX)	SUPPLIER
18.(a)(iv) Urgency	2024-12-18	143436	Public Works	SNG	\$190,970.00	Alfred Beam Excavating Limited

PO JUSTIFICATION

Construction of a 800 m long Water Service from Netherby Road to the chemical building at the Stevensville Douglastown Lagoon to Beam Construction. A water service is required to address a number of safety and compliance concerns for the Stevensville-Douglastown lagoons. Currently the lagoons do not have a eyewash/shower or reliable water supply to meet the safety concerns from the Ferric Delivery Company and the Ministry of Labour. If these concerns aren't met the Ferric could be refused delivery and lead to compliance issues with the Lagoon. There is also a high safety risk to staff operations and maintenance while working on the chemical pumps and chemical system.

NOTES

*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

**Procurement By-Law References:

Section 17. Special Circumstance

Section 18. Single Source (a)

- (i) the compatibility of a Purchase with existing equipment, product standards, facilities or service is a paramount consideration;
- (ii) a Good or Service is Purchased for testing or trial use;
- (iii) there is an absence of competition for technical reasons and the Goods and/or Services can only be supplied 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;
- (v) the Corporation has a rental contract with a purchase option and such purchase option is beneficial to the Corporation;
- (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;
- (vii) there are no bids in response to a Bid Solicitation;
- (viii) a roster for Professional Services has been developed in accordance with Section 20 of this By-law.

Section 19. Negotiation (a)

- (i) the required Goods and/or Services are in short supply;
- (ii) competition is precluded due to the existence of any patent right, copyright, technical secret or control of raw material;
- (iii) a Sole Source is being recommended;
- (iv) two (2) or more identical Bids are received;
- (v) the Lowest Compliant Bid received meeting all specifications exceeds the Budget amount;
- (vi) the extension of an existing Contract would be more effective;
- (vii) only one (1) Bid is received in response to a Bid Solicitation;
- (viii) the Bid Solicitation process has been cancelled without Award;
- (ix) a roster for Professional Services has been developed in accordance with Section 20 of this By-law;
- (x) there is Council authorization to do so.

BY-LAW SECTION***	PO ORIGINAL DATE	PO LAST CHANGE DATE	PO #	REGION DEPARTMENT*	SUPPLIER	PO LINE DESCRIPTION
18.(a)(i) Compatibility	2022-06-03	2024-12-16	106243	Corporate Services	AECOM Canada Architects Limited	2021-RFP-121 - Prime Consultant - D3 Next Generation 911 Back-Up Addition & Alterations

ORIGINAL PO TYPE	CHANGE PO TYPE	ORIGINAL PO VALUE	CHANGE IN VALUE**	CURRENT PO VALUE	TOTAL VALUE FORMALLY PROCURED	TOTAL VALUE SINGLE SOURCE
FRM	SNG	\$483,472.20	\$328,850.00	\$812,322.20	\$483,472.20	\$328,850.00

PO JUSTIFICATION

AECOM was retained through a formal RFP procurement process (2021-RFP-121) as the Prime Consultant for the design development of the new NPRS's new 911 Back Up Facility. Shortly after the RFP was issued outlining the Prime Consultants Scope of Works, the Region passed a policy that all new facilities being constructed, shall meet or exceed LEED Silver designation. The RFP did not capture this requirement as it was an unknown of the time of issuance. To ensure the new 911 Back Up facility meets the Region's new Energy Policy, AECOM was asked to provide a proposal for additional works to achieve LEED Silver for the new building on behalf of the Region. Photovoltaics & on Site Car chargers were identified as a separate price and are required as part of achieving our LEED Silver accreditation, therefore extra fees to the Prime Consultant were required. Also, due to identified budget risk identified in the Class C cost estimate in Fall of 2023, the project requires re-design of a portion of Schematic Design and Design Development to develop a smaller, more budget compliant facility.

BY-LAW SECTION***	PO ORIGINAL DATE	PO LAST CHANGE DATE	PO #	REGION DEPARTMENT*	SUPPLIER	PO LINE DESCRIPTION
18.(a)(i) Compatibility & (iii) No Competition	2020-05-21	2024-10-24	76921	Public Works	Parsons Inc.	2019-RFP-334 - Montrose Road EA and Design

ORIGINAL PO TYPE	CHANGE PO TYPE	ORIGINAL PO VALUE	CHANGE IN VALUE**	CURRENT PO VALUE	TOTAL VALUE FORMALLY PROCURED	TOTAL VALUE SINGLE SOURCE
FRM	SNG	\$975,000.00	\$1,784,148.00	\$2,759,148.00	\$975,000.00	\$1,784,148.00

PO JUSTIFICATION

Parsons Inc. was retained through a competitive bidding process under Request for Proposal 2019-RFP-334. As per council reports PW 24-2024, PW 31-2022, PW 4-2022, and PWC-C- 23-2021. Following consultation with review agencies (i.e. MECP, MTO, NPCA, and Ministry of Natural Resources) and the City of Niagara Falls, and the South Niagara Hospital team additional work or tasks beyond the original project scope were identified. The additional fees include contract administration and construction inspection services and detailed design services not part of the original scope; including, utility relocations, property acquisition, archaeological investigation, South Niagara Hospital liaison, MTO liaison, and the extension of Reixinger Road and underground infrastructure on Biggar Road.

BY-LAW SECTION***	PO ORIGINAL DATE	PO LAST CHANGE DATE	PO #	REGION DEPARTMENT*	SUPPLIER	PO LINE DESCRIPTION
18.(a)(i) Compatibility	2019-10-22	2024-12-18	66644	Public Works	Environmental Infrastructure Solutions Inc	2019-RFP-239 - NFWWTP Secondary Treatment and Digestion Upgrade/ Phase 1 Construction Administration and Inspection Services/ Phase 2 Design Services

ORIGINAL PO TYPE	CHANGE PO TYPE	ORIGINAL PO VALUE	CHANGE IN VALUE**	CURRENT PO VALUE	TOTAL VALUE FORMALLY PROCURED	TOTAL VALUE SINGLE SOURCE
FRM	SNG	\$666,377.25	\$3,852,267.25	\$4,518,644.50	\$2,450,725.00	\$2,067,919.50

PO JUSTIFICATION

Environmental Infrastructure Solutions Inc. (EIS) was awarded competitive bid 2019-RFP-239 for detailed design and tendering of the Niagara Falls Wastewater Treatment Plant Secondary Upgrades project. EIS was subsequently awarded provisionally procured Phase 1 CA&I, and Phase 2 Design services. Due to additional findings and requests from the Niagara Region during the design stage, the needs for contract duration extension and proper oversight of this Tier 1 project, and changes required to satisfy MECP requirements, the scope of these components was increased with the award of these provisional services. Site excavation activities unearthed materials, which were confirmed to contain asbestos (asbestos-containing materials; ACM). Direction was received from MECP, requiring off-site disposal of the ACM, without the option of reuse as backfill material, as was originally planned under the project. While completing this work, the project was further subject to additional MECP and Ministry of Labour (MOL) requirements to conduct continuous air monitoring, and to utilize specialized staff to supervise the receipt of ACM at the disposal site. Due to these unforeseen circumstances, additional effort was required on the part of EIS during CA&I activities, to assist in effectively controlling and minimizing impacts to both project schedule and budget. Council approved the increased under council reports PW42-2020, PW38-2022.

BY-LAW SECTION***	PO ORIGINAL DATE	PO LAST CHANGE DATE	PO #	REGION DEPARTMENT*	SUPPLIER	PO LINE DESCRIPTION
18.(a)(i) Compatibility	2021-11-19	2024-10-28	98662	Public Works	Maple Reinders Constructors Ltd.	2021-T-38 - NFWWTP Secondary Upgrades (Construction)

ORIGINAL PO TYPE	CHANGE PO TYPE	ORIGINAL PO VALUE	CHANGE IN VALUE**	CURRENT PO VALUE	TOTAL VALUE FORMALLY PROCURED	TOTAL VALUE SINGLE SOURCE
FRM	SNG	\$42,973,346.00	\$10,000,000.00	\$52,973,346.00	\$42,973,346.00	\$10,000,000.00

PO JUSTIFICATION

Maple Reinders Constructors Limited (MRC) was retained through a competitive bid process 2021-T-38, and awarded construction of the Niagara Falls Wastewater Treatment Plant Secondary Treatment Upgrades project (Phase 1 – Liquid Treatment Upgrades). Phase 1 construction commenced March 11, 2022, at which time site excavation activities unearthed materials, which were confirmed to contain asbestos (asbestos-containing materials; ACM). Direction received from the MECP required off-site disposal of the ACM, without the option of reuse as backfill material, as was originally planned under the project. While completing this work, the project was further subject to additional MECP and Ministry of Labour (MOL) requirements to conduct continuous air monitoring, and to utilize specialized staff to supervise the receipt of ACM at the disposal site. In order to control and minimize impacts to both project schedule and budget, construction activities were required to accommodate additional effort and work. The total budget was approved by Council for this work under PW 38-2022.

BY-LAW SECTION***	PO ORIGINAL DATE	PO LAST CHANGE DATE	PO #	REGION DEPARTMENT*	SUPPLIER	PO LINE DESCRIPTION
18.(a)(i) Compatibility	2020-08-20	2024-10-28	80453	Public Works	Stantec Consulting Ltd.	2020-RFP-34 - 20000691-Welland Primary Digester #1 Controls Upgrade

ORIGINAL PO TYPE	CHANGE PO TYPE	ORIGINAL PO VALUE	CHANGE IN VALUE**	CURRENT PO VALUE	TOTAL VALUE FORMALLY PROCURED	TOTAL VALUE SINGLE SOURCE
FRM	SNG	\$90,185.10	\$227,038.73	\$317,223.83	\$201,370.40	\$115,853.43

PO JUSTIFICATION

Stantec Consulting Ltd. was retained through a competitive bid process 2020-RFP-34 and awarded detailed design of the Welland WWTP Primary Digester #1 Control Upgrade. The project reached the tender and construction phases and provisionally procured CA&I services were awarded. Prior to construction, Operations and Management cleaned out Primary Digester #2 to eliminate the plugging issues it was experiencing before Primary Digester #1 was overhauled. Primary Digester #2 incurred many leaks and would have failed pressure testing, so it was decided to pivot scope to overhaul this digester instead of Primary Digester #1 since it was already empty and cleaned out. Stantec was asked by Niagara Region to update the tender documents already posted. Also, due to additional findings through the condition assessment of Primary Digester #2, there was a need to increase the scope of the project in conjunction with the award of the provisional services, including: an application to TSSA to increase the operational pressure of the digester; additional engineering fees for Construction Services, Project Management + Meetings, Site Investigations, Updated Project Drawings + Specifications, due to transitioning the project scope; Additional Digester Startup SOP; Additional Digester Concrete and Steel Repairs; Coatings Specialist Design & Tech Memo; and Instrument Platform Design.

BY-LAW SECTION***	PO ORIGINAL DATE	PO LAST CHANGE DATE	PO #	REGION DEPARTMENT*	SUPPLIER	PO LINE DESCRIPTION
18.(a)(i) Compatibility	2020-07-07	2024-10-30	78692	Public Works	Associated Engineering (Ont.) Ltd.	2020-RFP-44 - Detailed Design for the reconstruction of RR10 (Casablanca) from North Service Road to RR81, Livingston and the South Service Road.

ORIGINAL PO TYPE	CHANGE PO TYPE	ORIGINAL PO VALUE	CHANGE IN VALUE**	CURRENT PO VALUE	TOTAL VALUE FORMALLY PROCURED	TOTAL VALUE SINGLE SOURCE
FRM	SNG	\$501,541.00	\$805,294.10	\$1,306,835.10	\$501,541.00	\$805,294.10

PO JUSTIFICATION

Associated Engineering was retained through a competitive bid process 2020-RFP-44. Additional CA&I fees were incurred due to a scope change for services related to the drainage and hydraulics assessment services for Casablanca Rd. Channel Improvement Works within the Stormwater Easement along the CN Corridor in Grimsby, ON. This scope change was initiated based on an expression of interest by the Town of Grimsby (the Town) to improve channel conveyance within the stormwater easement along the CN corridor considered an extension of works within the Region of Niagara (the Region's) Casablanca Blvd. Road Improvements project.

BY-LAW SECTION***	PO ORIGINAL DATE	PO LAST CHANGE DATE	PO #	REGION DEPARTMENT*	SUPPLIER	PO LINE DESCRIPTION
18.(a)(i) Compatibility	2024-08-02	2024-11-05	138090	Public Works	GEI Consultants Canada Ltd.	20001153 - 2021-RFP-156 - Seaway WWTP Ferric System Desgn Change and CA & I

ORIGINAL PO TYPE	CHANGE PO TYPE	ORIGINAL PO VALUE	CHANGE IN VALUE**	CURRENT PO VALUE	TOTAL VALUE FORMALLY PROCURED	TOTAL VALUE SINGLE SOURCE
FRM	SNG	\$9,091.78	\$263,277.00	\$272,368.78	\$164,353.56	\$108,015.22

PO JUSTIFICATION

This assignment was originally awarded to GM BluePlan for Phase 1 Design. PO102290 was provided to GM BluePlan at the time of award in the amount of \$149,420. One change order in the amount of \$7,850 was approved in July 2022, for a new total PO value of \$157,270. To date, \$148,178.22 of the approved \$157,270 has been expended. GM BluePlan has changed their name to GEI Consultants. A new PO was required for GEI Consultants to carry out the remaining work. The original PO102290 has been closed, and the remaining balance of \$9,091.78 is required in a new PO for GEI Consultants to finalize the design. Contract administration and inspection (CA&I) was awarded, but required an increase the original CA&I value that was competitively procured to reflect current rates, and proceed with a minor design change. The increase is required because the consultant undertook additional design at the request of the Niagara Region and will also be performing contract administration and construction inspection for the construction phase of the project.

BY-LAW SECTION***	PO ORIGINAL DATE	PO LAST CHANGE DATE	PO #	REGION DEPARTMENT*	SUPPLIER	PO LINE DESCRIPTION
18.(a)(i) Compatibility	2020-02-25	2024-11-27	73192	Public Works	GHD Limited	2019-Q-339 Geotechnical Investigation Beaverdams SPS & Forcemain

ORIGINAL PO TYPE	CHANGE PO TYPE	ORIGINAL PO VALUE	CHANGE IN VALUE**	CURRENT PO VALUE	TOTAL VALUE FORMALLY PROCURED	TOTAL VALUE SINGLE SOURCE
FRM	SNG	\$92,720.00	\$208,088.20	\$300,808.20	\$123,570.00	\$177,238.20

PO JUSTIFICATION

GHD Limited was awarded 2019-RFQ-339 Geotechnical and Hydrogeological Investigation and Construction Services for the Beaverdams Sewage Pump Station and Forcemain Replacement as part of a competitive bid process. GHD submitted previous requests for approval of provisional services in the bid for an additional monitoring well and associated items to better estimate groundwater yields that could be expected during construction of the proposed pump station wetwell, followed by a permit to take water (PTTW). Geotechnical engineering services for the Beaverdams SPS and Forcemain project related to compliance with the new requirements of O.Reg. 406/19: On-site and Excess Soil Management the new Excess Spoils Regulation, and Construction Services. The increase is required to cover the material testing services for the remaining project duration. The construction duration has been significantly extended beyond the anticipated construction schedule, construction on the forcemain is mostly complete but no work has been completed yet for the sewage pumping station and material testing services are required for the remaining construction.

BY-LAW SECTION***	PO ORIGINAL DATE	PO LAST CHANGE DATE	PO #	REGION DEPARTMENT*	SUPPLIER	PO LINE DESCRIPTION
18.(a)(i) Compatibility	2023-01-19	2024-12-04	115607	Public Works	WSP Canada Inc.	GQ Passive Gas Venting System

ORIGINAL PO TYPE	CHANGE PO TYPE	ORIGINAL PO VALUE	CHANGE IN VALUE**	CURRENT PO VALUE	TOTAL VALUE FORMALLY PROCURED	TOTAL VALUE SINGLE SOURCE
FRM	SNG	\$106,093.25	\$111,160.00	\$217,253.25	\$106,093.25	\$111,160.00

PO JUSTIFICATION

A competitive procurement process was completed where Golder Associates was awarded 2020-RFP-197. An original PO (87812) was issued to Golder in February 2021 prior to their amalgamation with WSP. The original scope of work included design and CA&I of a passive gas venting system on the east and south side of the Glenridge Quarry Naturalization Site to mitigate gas migration beyond the property limits. During the design stage, it was determined that improvements to the PGVS alone would not guarantee containment of the gas onsite. To avoid offsite contamination, additional design work was completed to include sheet pile walls and grouting. Subsequently, the project required re-tendering due to elevated pricing submissions on the first tender which resulted in additional work for WSP. Prior to re-tendering, staff and WSP reviewed options to secure more reasonable pricing – it was determined that a ground penetrating radar (GPR) survey should be completed to better define the top of bedrock surface. Following the GPR survey, the works were re-tendered. During construction of the works, an additional amendment was required to WSPs scope due to a significantly different top of bedrock surface on the east side which caused project delays. This was despite the use of all existing gas probe borehole logs and completion of the GPR survey. With each amendment, WSP maintained their charge out rates and reduced daily CA/I rates relative to their 2020 RFP submission.

BY-LAW SECTION***	PO ORIGINAL DATE	PO LAST CHANGE DATE	PO #	REGION DEPARTMENT*	SUPPLIER	PO LINE DESCRIPTION
18.(a)(iii) No Competition	2024-01-08	2024-11-19	129031	Community Services	CTG Medical Transportation LTD	CTG - Medical Transportation HIN 2024

ORIGINAL PO TYPE	CHANGE PO TYPE	ORIGINAL PO VALUE	CHANGE IN VALUE**	CURRENT PO VALUE	TOTAL VALUE FORMALLY PROCURED	TOTAL VALUE SINGLE SOURCE
SNG	SNG	\$30,000.00	\$120,000.00	\$150,000.00	\$0.00	\$150,000.00

PO JUSTIFICATION

CTG Medical Transportation is utilized for transportation of our dialysis residents between LTC home and Hospital. Hospital transfer services fall under a contract agreement between CTG Spectrum Patient Services and Niagara Health. Seniors Services books the transportation to hospital in accordance with this agreement.

BY-LAW SECTION***	PO ORIGINAL DATE	PO LAST CHANGE DATE	PO #	REGION DEPARTMENT*	SUPPLIER	PO LINE DESCRIPTION
18.(a)(iii) No Competition	2023-01-16	2024-10-16	115268	Public Works	Metro Truck Niagara Inc. (Metro Hino)	2023 METRO TRUCK NIAGARA DEALER OEM PARTS / OEM SERVICE AND REPAIR

ORIGINAL PO TYPE	CHANGE PO TYPE	ORIGINAL PO VALUE	CHANGE IN VALUE**	CURRENT PO VALUE	TOTAL VALUE FORMALLY PROCURED	TOTAL VALUE SINGLE SOURCE
SNG	SNG	\$30,000.00	\$108,000.00	\$138,000.00	\$0.00	\$138,000.00

PO JUSTIFICATION

Metro Truck Niagara is the OEM (Original Equipment Manufacturer) dealer and sole distributor in Niagara of Freightliner Truck Goods and Services for Niagara Region vehicles. Supplier sole source letter attached for reference. This Requisition applies to 2023 Goods and Services. There will be adjustment / Change PO request after the initial PO is sent to the vendor after the actual 2022 numbers are finalized.

BY-LAW SECTION***	PO ORIGINAL DATE	PO LAST CHANGE DATE	PO #	REGION DEPARTMENT*	SUPPLIER	PO LINE DESCRIPTION
18.(a)(iii) No Competition	2023-12-21	2024-10-30	128594	Public Works	Rush Truck Centres of Canada Ltd.	2024 Rush Truck International - OEM Parts/ Services & Repairs

ORIGINAL PO TYPE	CHANGE PO TYPE	ORIGINAL PO VALUE	CHANGE IN VALUE**	CURRENT PO VALUE	TOTAL VALUE FORMALLY PROCURED	TOTAL VALUE SINGLE SOURCE
SNG	SNG	\$19,999.00	\$355,001.00	\$375,000.00	\$0.00	\$375,000.00

PO JUSTIFICATION

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. Supplier sole source letter attached for reference. The requested values are based on 2021 spend. This Requisition applies to 2023 Goods and Services. There will be adjustment / Change PO request after the initial PO is sent to the vendor.

BY-LAW SECTION***	PO ORIGINAL DATE	PO LAST CHANGE DATE	PO #	REGION DEPARTMENT*	SUPPLIER	PO LINE DESCRIPTION
18.(a)(iii) No Competition	2023-12-21	2024-11-13	128574	Public Works	Viking-Cives Group	2024 Viking-Cives OEM Parts

ORIGINAL PO TYPE	CHANGE PO TYPE	ORIGINAL PO VALUE	CHANGE IN VALUE**	CURRENT PO VALUE	TOTAL VALUE FORMALLY PROCURED	TOTAL VALUE SINGLE SOURCE
SNG	SNG	\$20,000.00	\$150,000.00	\$170,000.00	\$0.00	\$170,000.00

PO JUSTIFICATION

Viking Cives group is the only authorized dealer for the OEM (Original Equipment Manufacturer) and sole distributor in Niagara Region of Viking-Cives Goods for Niagara Region vehicles currently in use. These parts and services were never procured via any prior formal procurement method due to the fact that once the originally procured dump trucks were acquired they came with Viking-Cives equipment. We will do another change request for the estimated spent for 2024 once the initial PO is dispatched to the vendor.

NOTES

*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.

Procurement By-Law Section 18. (a) References:

- (i) the compatibility of a Purchase with existing equipment, product standards, facilities or service is a paramount consideration;
- (ii) a Good or Service is Purchased for testing or trial use;
- (iii) there is an absence of competition for technical reasons and the Goods and/or Services can only be supplied 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;
- (v) the Corporation has a rental contract with a purchase option and such purchase option is beneficial to the Corporation;
- (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;
- (vii) there are no bids in response to a Bid Solicitation;
- (viii) a roster for Professional Services has been developed in accordance with Section 20 of this By-law.