



**City of Hamilton
PROCUREMENT
SUB-COMMITTEE REVISED**

Meeting #: 23-001
Date: November 23, 2023
Time: 2:00 p.m.
Location: Room 264, 2nd Floor, City Hall (hybrid) (RM)
71 Main Street West

Matt Gauthier, Legislative Coordinator (905) 546-2424 ext. 6437

	Pages
1. CEREMONIAL ACTIVITIES	
2. APPROVAL OF AGENDA (Added Items, if applicable, will be noted with *)	
3. DECLARATIONS OF INTEREST	
4. APPROVAL OF MINUTES OF PREVIOUS MEETING	
4.1 September 12, 2022	5
5. COMMUNICATIONS	
6. DELEGATION REQUESTS	
*6.1 Moe Bachi, Seawaves Development Services Inc., respecting Item 14.1 Commercial Relationship Between the City of Hamilton and Seawaves Development Services Inc. (FCS23112) (City Wide) (For today's meeting)	9
7. DELEGATIONS	
8. STAFF PRESENTATIONS	
9. CONSENT ITEMS	
10. DISCUSSION ITEMS	

11. MOTIONS
12. NOTICES OF MOTION
13. GENERAL INFORMATION / OTHER BUSINESS
14. PRIVATE AND CONFIDENTIAL

*14.1 Commercial Relationship Between the City of Hamilton and Seawaves Development Services Inc. (FCS23112) (City Wide)

Pursuant to Section 9.3, Sub-sections (e) and (k) of the City's Procedural By-law 21-021, as amended; and, Section 239(2), Subsections (e) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

15. ADJOURNMENT



Hamilton

Procurement Sub-Committee

MINUTES 22-001

2:00 pm

Monday, September 12, 2022

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors L. Ferguson (Chair), J.P. Danko (Vice-Chair), and N. Nann

Absent: Councillor T. Whitehead - Personal

THE FOLLOWING ITEMS WERE REFERRED TO THE AUDIT, FINANCE & ADMINISTRATION COMMITTEE FOR CONSIDERATION:

1. Amendments to the Procurement Policy and the Capital Pre-Approval Policy (FCS21103(a) / PW22081) (City Wide) (Item 10.1)

(Nann/Danko)

- (a) That staff be directed to prepare a by-Law amending By-law No. 20-205, "A By-law to Adopt and Maintain A Procurement Policy for the City of Hamilton" with the amendments to the City of Hamilton's (City) Procurement Policy as attached in Appendix "A" to Report FCS21103(a) / PW22081;
- (b) That Council approve the amendment to the City's Capital Pre-Approval Policy, as attached in Appendix "B" to Report FCS21103(a) / PW22081; and,
- (c) That any financing required to fund deposits or prepayment requirements resulting from the amended City's Capital Pre-Approval Policy (attached as Appendix "B" to Report FCS21103(a) / PW22081) be funded first from program reserve and second through an internal loan from the Unallocated Capital Reserve (#108020).

Result: Motion CARRIED by a vote of 3 to 0, as follows:

YES - Chair - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 3 Councillor Ninder Nann

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

The Committee Clerk advised that there were no changes to the agenda.

(Nann/Danko)

That the agenda for the September 12, 2022 Procurement Sub-Committee meeting be approved, as presented.

Result: Motion CARRIED by a vote of 3 to 0, as follows:

YES - Chair - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 3 Councillor Nrinder Nann

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) MINUTES (Item 4)

(i) October 29, 2021

(Danko/Nann)

That the Procurement Sub-Committee Minutes of the October 29, 2021 Meeting be approved, as presented.

Result: Motion CARRIED by a vote of 3 to 0, as follows:

YES - Chair - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 3 Councillor Nrinder Nann

(d) DISCUSSION ITEMS (Item 10)

(i) Amendments to the Procurement Policy and the Capital Pre-Approval Policy (FCS21103(a) / PW22081) (City Wide) (Item 10.1) (Item 10.1)

Councillor Ferguson relinquished the Chair to introduce the following motion:

(Ferguson/Danko)

That staff be directed to investigate methods to recognize when commodity prices fluctuate in order to capture savings for the City and report back to a future Procurement Sub-Committee meeting.

Result: Motion CARRIED by a vote of 3 to 0, as follows:

YES - Chair - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 3 Councillor Nrinder Nann

Councillor Ferguson assumed the Chair.

(e) PRIVATE AND CONFIDENTIAL (Item 14)

(i) Closed Minutes – October 29, 2021 (Item 14.1)

(Danko/Nann)

- (a) That the Closed Session Minutes of the October 29, 2021 Procurement Sub-Committee meeting, be approved as presented; and,
- (b) That the Closed Session Minutes of the October 29, 2021 Procurement Sub-Committee meeting, remain confidential.

Result: Motion CARRIED by a vote of 3 to 0, as follows:

YES - Chair - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 3 Councillor Nrinder Nann

(f) ADJOURNMENT (Item 15)

(Nann/Danko)

That there being no further business the Procurement Sub-committee be adjourned at 2:18 p.m.

Result: Motion CARRIED by a vote of 3 to 0, as follows:

YES - Chair - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 3 Councillor Nrinder Nann

Respectfully submitted,

Lloyd Ferguson, Chair
Procurement Sub-Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk

From: City of Hamilton <hello@hamilton.ca>

Sent: November 22, 2023 9:37 AM

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Submitted on Wed, 11/22/2023 - 09:37

Submitted by: Anonymous

Submitted values are:

Committee Requested

Committee

City's Procurement Sub-Committee

Will you be delegating in-person or virtually?

In-person

Will you be delegating via a pre-recorded video?

No

Requestor Information

Requestor Information

Moe Bachi

Seawaves Development Services Inc.



Preferred Pronoun

he/him

Reason(s) for delegation request

RE: Commercial Relationship ban for Seawaves Development Services Inc.

We have not had contract issues with the City of Hamilton on any of our contracts except for, there is major dispute conflicts with regards to contract # C13-57-21 Request for Tenders for Contractor

Required for Glanbrook Landfill Construction Stage 3 - Phase 2 that we may end up taking the City of Hamilton and Consultant to court for. We are a local Hamilton contractor and value the City of Hamilton very much and would really appreciate if we can settle the conflict before it escalates to courts.

Will you be requesting funds from the City?

No

Will you be submitting a formal presentation?

No

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