



INFORMATION REPORT

TO: Chair and Members Audit, Finance & Administration	WARD(S) AFFECTED: CITY WIDE
COMMITTEE DATE: November 9, 2011	
SUBJECT/REPORT NO: Quarterly Status Report on the use of Policy 10 - Emergency Purchasing and Policy 11 - Negotiations for the 3rd Quarter 2011 (FCS11005(b)) (City Wide)	
SUBMITTED BY: Antonio D. Tollis Treasurer Corporate Services Department	PREPARED BY: Rick Male (905) 546 2424 ext. 4157
SIGNATURE:	

Council Direction:

Council has directed staff to report on the use of Sections 4.10 and 4.11 of the Purchasing Policy on a quarterly basis.

Information:

This report is issued quarterly in accordance with the Purchasing Policy. This report details the procurement of goods and/or services during emergency situations and those detailed in Section 4.11 – Negotiations for the third quarter 2011.

The Policy for Negotiations is used in narrowly defined circumstances where it is justified that the policies for the general acquisition process could not be followed. The “Request to Use the Negotiation Policy/Emergency Reporting Form” is completed by the Client Department and signed by the departmental Director or General Manager and is then forwarded to the Procurement Manager for approval. These forms are kept on file in the Procurement Section and are available for viewing by Members of Council upon request to the Procurement Manager. The Procurement Section reviews each request to ensure that fair and ethical practices are utilized when goods/services are acquired using Policies 10 and 11.

During the third quarter of 2011, there were 125 purchase orders issued where Policy 10 and 11 were used, totalling \$5,411,942. The purchase orders are summarized in Appendix ‘A’ to report FCS11005(b).

**SUBJECT: Quarterly Status Report on the use of Policy 10 - Emergency
Purchasing and Policy 11 - Negotiations for the 3rd Quarter 2011
(FCS11005(b)) (City Wide) – Page 2 of 4**

The breakdown is as follows:

- 16 purchase orders totalling \$651,072 were issued under Policy 10, as “Emergency” purchases, whereby goods and services shall be acquired by the most expedient and economical means. The following purchase orders represent approximately 58 percent of the total spent for this category:
 - Purchase order 61096 for \$268,715 was issued to Rankin Construction Inc. to undertake emergency works to stabilise the failed embankment of the Sherman Access west leg slope by constructing a retained soil system.
 - Purchase order 60592 for \$110,228 was issued to New Alliance Ltd to undertaken emergency works to repair and refill a void beneath the King William alleyway. The work included installing new conduit to relocate existing hydro and fibre-optic lines.
- Seven purchase orders totalling \$1,191,531 were issued for “Expanded Works”. When an unexpected problem arose, this extra work did not expand the scope of the project but was necessary in order to deliver the original approved work. The following purchase order represents approximately 67 percent of the total spent for this category:
 - Purchase order 55716 for \$800,000 was issued to Alberici Constructors Ltd for work required to complete contract C14-27-10 New Ferguson Avenue Water Booster Pumping Station Upgrades (Contract 2). Alberici Constructors Ltd experienced unanticipated conditions relating to poor site soils, offsite disposal of poor soils and yard piping issues.
 - Purchase order 45674 for \$225,000 was issued to Genivar Inc for work required to complete contract C11-80-08 Professional Engineering Consultant Services Required for the Design and Contract Administration of the New Highland Gardens Park Pumping Station and Hillcrest Reservoir Condition Upgrades. Genivar Inc experienced unanticipated conditions such as Ministry Approval for endangered species (Butternut Trees) including public communications issues.
- Nine purchase orders totalling \$657,211 represents the short-term “Extensions” of current contracts which have expired and unforeseeable circumstances have caused a delay in issuing a new tender or proposal document. The following purchase order represents the largest dollar amount in this category:

**SUBJECT: Quarterly Status Report on the use of Policy 10 - Emergency
Purchasing and Policy 11 - Negotiations for the 3rd Quarter 2011
(FCS11005(b)) (City Wide) – Page 3 of 4**

- Contract C12-11-09 Provision of Various Car and Light Duty Truck Auto Service for Central Fleet and Transit Services was extended to December 31, 2011 to allow time to develop new specifications. \$150,000 was issued to Barton Truck & Trailer Service.
- 46 purchase orders totalling \$1,812,682 were identified as “Single Source” purchases whereby a particular vendor was recommended because it was more cost-effective or beneficial to the City. The following purchase orders represent the largest dollar amount in this category:
 - Purchase order 53623 for \$230,000 was issued to Steer Davies Gleave to continue to provide consulting and project management services on the B-Line Planning, Design and Engineering project until December 31, 2011.
 - Purchase order 61020 for \$214,701 was issued to Intergraph Canada Ltd for the purchase of I/Mobile software to interface with the existing Hamilton Police Service Computer Aided Dispatch (CAD) system which was originally supplied by Intergraph Canada Ltd. This new software will provide seamless connectivity and communication between Police Communications and patrol cruisers.
 - Purchase order 59971 for \$141,000 was issued to Katalogic Inc to provide two years of service and support in the operation and maintenance of the Kronos and PeopleSoft interface which was created by Katalogic Inc.
- 35 purchase orders totalling \$840,371 were “Sole Source” purchases, where it was deemed that there was only one source of supply in the open market. The following purchase orders represent the largest dollar amount in this category:
 - ITT W & WW were issued six purchase orders totalling \$220,521. ITT W & WW are the original equipment manufacturer of numerous pumps, mixers, drivers, controllers and other miscellaneous equipment and parts currently used by the City. These purchases were to provide parts or repairs for originally purchased equipment.
 - Purchase order 60017 for \$100,000 was issued to Good Shepherd Works to provide support services for populations vulnerable to bed bug infestations. Specifically residential dwelling preparation services for bed bug control by utilizing resources through their Good Shepherd Works social enterprise program.

**SUBJECT: Quarterly Status Report on the use of Policy 10 - Emergency
Purchasing and Policy 11 - Negotiations for the 3rd Quarter 2011
(FCS11005(b)) (City Wide) – Page 4 of 4**

- There were 12 instances where departments utilized the Negotiation Policy without receiving the proper approvals as required by the Purchasing Policy. The departments were instructed on the proper procedure to be followed in the future. The value of goods and services procured in these instances was \$259,075.

Requests for Quotations, Tenders and Proposals are issued to encourage the competitive bidding process with objective and equitable treatment of all vendors, in accordance with the Purchasing Policy approved by Council. Council approved Section 4.11 – Negotiations, a policy designed to ensure a fair and equitable treatment of vendors where the competitive process is restricted.

**3rd Quarter 2011 Status Report on
Use of Policy 10 - Emergency Purchasing and Policy 11 - Negotiations**

Appendix A to
Report FCS11005(b)
Page 1 of 4

PO No.	Type	Amount	Name	Origin	Department / Division
City Manager					
60620	SGLE	\$ 8,100.00	PREDICTIVE SUCCESS	HR	Human Resources
60521	SOLE	\$ 25,000.00	APT INC	HR	Human Resources
Corporate Services					
61104	SOLE	\$ 24,595.00	SIRE TECHNOLOGIES INC	FCS	Finance Corporate Mgmt Service
Manual1	NON	\$ 25,000.00	PICKARD AND LAWS	IS	Information Services
38702	EXTN	\$ 100,000.00	ATHENS PRINTING	FCS	Finance Corporate Mgmt Service
38705	EXTN	\$ 100,000.00	STIRLING PRINT SOLUTIONS	FCS	Finance Corporate Mgmt Service
38708	EXTN	\$ 100,000.00	MINUTEMAN PRESS	FCS	Finance Corporate Mgmt Service
Community Services					
60506	EMER	\$ 5,150.00	BESWICK TREE SERVICE LTD.	REC	RECREATION
61152	SGLE	\$ 7,000.00	ECOLAB LTD	MAC	MACASSA LODGE
60555	EMER	\$ 7,200.00	SANDERS-LAMPMAN ELECTRIC LTD	REC	RECREATION
60508	SGLE	\$ 9,400.00	SANIGLAZE TORONTO	REC	RECREATION
60012	SGLE	\$ 10,000.00	OK&D MARKETING COMMUNICATIONS	CUL	Culture
60426	SGLE	\$ 10,000.00	RADIGAN BROS LIMITED	REC	RECREATION
60504	EMER	\$ 10,129.68	ANGUS INGROUND SPRINKLER COMPANY INC	REC	RECREATION
61048	NON	\$ 10,200.00	HENDERSHOT RESEARCH CONSULTANTS	STS	COM_SERV_STRATEGIC_SERVICES
61151	SGLE	\$ 10,269.00	TYCO INTERNATIONAL OF CANADA LTD O/A SIMPLEX GRINNELL	MAC	MACASSA LODGE
52116	SOLE	\$ 20,340.00	MISSION SYSTEMS DEVELOPMENT CORP	CCH	Child care
60282	NON	\$ 16,165.44	BLACK & MCDONALD LIMITED	REC	RECREATION
47814	EXTN	\$ 20,000.00	GOOD SHEPHERD	EIS	Employment and Income Support
60236	EXPD	\$ 20,000.00	TRIPLE CROWN ENTERPRISES LTD	CUL	Culture
52677	EMER	\$ 22,000.00	SHOALTS BROS. CONSTRUCTION LTD.	CUL	Culture
60676	EXPD	\$ 24,900.00	HERITAGE BRICK & STONE INC	CUL	Culture
60726	SGLE	\$ 25,000.00	GILL BIBBY MARINE SERVICES	CUL	Culture
54737	EXPD	\$ 45,000.00	NEWMAN BROS. LTD	REC	RECREATION
60578	NON	\$ 45,000.00	TYCO INTERNATIONAL OF CANADA LTD	REC	RECREATION
60505	EMER	\$ 55,500.00	NORTH GATE FARMS LTD	REC	RECREATION
Hamilton Emergency Services					
60223	SGLE	\$ 5,200.00	FITNESS YORK	FIR	Emergency Services
60609	SOLE	\$ 6,645.00	INDIAN SPRINGS MANUFACTURING CO INC	FIR	Emergency Services
60750	SOLE	\$ 7,022.40	BELL CANADA	FIR	Emergency Services
60769	SGLE	\$ 7,948.00	O'CONNOR ELECTRIC	FIR	Emergency Services

**3rd Quarter 2011 Status Report on
Use of Policy 10 - Emergency Purchasing and Policy 11 - Negotiations**

Appendix A to
Report FCS11005(b)
Page 2 of 4

PO No.	Type	Amount	Name	Origin	Department / Division
60847	SGLE	\$ 13,942.00	TOP RIG COMMUNICATIONS INC	FIR	Emergency Services
60623	SGLE	\$ 14,904.00	GLENTEL INC	FIR	Emergency Services
60046	SGLE	\$ 45,000.00	WAJAX POWER SYSTEMS	FIR	Emergency Services
60610	SGLE	\$ 45,000.00	MOTOROLA SOLUTIONS CANADA INC	FIR	Emergency Services
HECFI					
60638	SOLE	\$ 17,000.00	TICKETMASTER CANADA INC.	HEC	HECFI
Planning and Economic Development					
59979	NON	\$ 5,000.00	ONTARIO SEED GROWER'S ASSOCIATION	CPL	City Planning
61082	SGLE	\$ 5,556.00	GOGGLE DISPLAYS	RPL	Planning & Development
60313	SGLE	\$ 10,700.00	FACTOR[E] DESIGN INITIATIVE	RPL	Planning & Development
60093	SGLE	\$ 16,272.00	SALESFORCE.COM.INC	RPL	Planning & Development
59881	EXTN	\$ 17,210.55	MICHELE BAIN	RPL	Planning & Development
60188	SGLE	\$ 20,000.00	SUE VATTAY	CPL	City Planning
55680	NON	\$ 25,000.00	GOWLINGS LAFLEUR HENDERSON LLP	CPL	City Planning
59993	NON	\$ 36,500.00	LIVING HISTORY MULTIMEDIA ASSOCIATION	CPL	City Planning
61081	SOLE	\$ 73,000.00	CSDC SYSTEMS INC	RPL	Planning & Development
Police					
60213	SGLE	\$ 6,392.00	PACIFIC SAFETY PRODUCTS INC.	POL	Police
60011	SOLE	\$ 7,550.00	C.M.I.INC	POL	Police
36596	SOLE	\$ 10,000.00	MOTOROLA SOLUTIONS CANADA INC	POL	Police
60261	SOLE	\$ 10,000.00	TALBOT WOOD PRODUCTS LIMITED	POL	Police
60427	SGLE	\$ 16,000.00	FRONTLINE OUTFITTERS	POL	Police
60161	SGLE	\$ 30,000.00	HAMILTON PORT AUTHORITY	POL	Police
60160	SGLE	\$ 39,138.03	VALLEY ASSOCIATES INC.	POL	Police
61020	SGLE	\$ 214,701.00	INTERGRAPH CANADA LTD.	POL	Police
Public Health					
60946	SOLE	\$ 7,684.00	ONTARIO COUNCIL ON COMMUNITY HEALTH	PBI	PH_PLAN_BUSINESS_IMPROVEMENT
60556	NON	\$ 13,747.50	MCMASTER UNIVERSITY	PBI	PH_PLAN_BUSINESS_IMPROVEMENT
60637	SGLE	\$ 35,000.00	NORR LIMITED	PBI	PH_PLAN_BUSINESS_IMPROVEMENT
60259	NON	\$ 55,000.00	YORK UNIVERSITY	PBI	PH_PLAN_BUSINESS_IMPROVEMENT
60017	SOLE	\$ 100,000.00	GOOD SHEPHERD WORKS	HPD	HEALTH PROTECTION DIVISION
Public Works - Environment & Sustainable Infrastructure					
60581	SOLE	\$ 5,405.29	ITT W & WW		Environment & Sustainable Infrastructure
61041	SOLE	\$ 5,563.00	ROTORK CONTROLS (CANADA) LTD.		Environment & Sustainable Infrastructure

**3rd Quarter 2011 Status Report on
Use of Policy 10 - Emergency Purchasing and Policy 11 - Negotiations**

PO No.	Type	Amount	Name	Origin	Department / Division
60121	SOLE	\$ 5,677.00	CONVAL EQUIPMENT LTD.		Environment & Sustainable Infrastructure
55490	NON	\$ 6,537.75	LIBERTY ENERGY INC		Environment & Sustainable Infrastructure
60207	EMER	\$ 6,599.61	WM GROVES LIMITED		Environment & Sustainable Infrastructure
60407	SOLE	\$ 7,056.00	H2 FLOW EQUIPMENT INC.		Environment & Sustainable Infrastructure
59988	SOLE	\$ 7,536.75	HORIZON UTILITIES		Environment & Sustainable Infrastructure
60303	SOLE	\$ 9,500.00	BAY AREA RESTORATION COUNCIL (BARC)		Environment & Sustainable Infrastructure
60177	SOLE	\$ 10,500.00	HORIZON UTILITIES		Environment & Sustainable Infrastructure
60154	EMER	\$ 10,799.25	TERRATEC ENVIRONMENTAL LTD		Environment & Sustainable Infrastructure
56078	NON	\$ 11,730.00	CRESCAN LANDSCAPE LTD.		Environment & Sustainable Infrastructure
60304	SOLE	\$ 11,762.00	C & M ENVIRONMENTAL TECHNOLOGIES INC.		Environment & Sustainable Infrastructure
59989	SOLE	\$ 12,774.99	SCHWING BIOSET INC		Environment & Sustainable Infrastructure
60301	EMER	\$ 13,760.00	SPAANS BABCOCK		Environment & Sustainable Infrastructure
59990	SOLE	\$ 14,056.00	TRANSCAT INC		Environment & Sustainable Infrastructure
55671	SGLE	\$ 14,067.50	KATALOGIC INC		Environment & Sustainable Infrastructure
60470	SOLE	\$ 15,962.45	ITT W & WW		Environment & Sustainable Infrastructure
60678	SOLE	\$ 17,725.00	BLUE W		Environment & Sustainable Infrastructure
60333	SOLE	\$ 18,000.00	HAMILTON SPECTATOR		Environment & Sustainable Infrastructure
60352	SGLE	\$ 18,204.75	MANDEL SCIENTIFIC COMPANY INC.		Environment & Sustainable Infrastructure
55594	SOLE	\$ 19,389.72	CANADIAN NATIONAL RAILWAY		Environment & Sustainable Infrastructure
60408	SOLE	\$ 20,000.00	HORIZON UTILITIES		Environment & Sustainable Infrastructure
60653	SGLE	\$ 20,000.00	MHBC PLANNING		Environment & Sustainable Infrastructure
60682	SOLE	\$ 20,362.27	HYDRO ONE		Environment & Sustainable Infrastructure
60180	SGLE	\$ 23,000.00	GREEN VENTURE		Environment & Sustainable Infrastructure
60690	SGLE	\$ 25,000.00	PRICE WATERHOUSE COOPERS LLP		Environment & Sustainable Infrastructure
59904	SGLE	\$ 25,000.00	GOLDER ASSOCIATES LTD		Environment & Sustainable Infrastructure
53157	SGLE	\$ 26,000.00	PETO MACCALLUM LTD		Environment & Sustainable Infrastructure
59945	EMER	\$ 30,365.08	ANTHRAFILTER MEDIA & COAL LTD.		Environment & Sustainable Infrastructure
60680	SOLE	\$ 33,000.00	CANADIAN NATIONAL RAILWAY		Environment & Sustainable Infrastructure
60305	SGLE	\$ 35,529.00	FONTASY SIGN & DISPLAY INC.		Environment & Sustainable Infrastructure
60859	EMER	\$ 39,964.53	MCCANICAL INCORPORATED		Environment & Sustainable Infrastructure
60271	SGLE	\$ 44,477.00	L.J. BARTON MECHANICAL INC.		Environment & Sustainable Infrastructure
61129	SOLE	\$ 45,918.18	ITT W & WW		Environment & Sustainable Infrastructure
60273	SOLE	\$ 48,111.00	AECOM CANADA LTD		Environment & Sustainable Infrastructure
60575	SOLE	\$ 48,694.13	ITT W & WW		Environment & Sustainable Infrastructure

**3rd Quarter 2011 Status Report on
Use of Policy 10 - Emergency Purchasing and Policy 11 - Negotiations**

Appendix A to
Report FCS11005(b)
Page 4 of 4

PO No.	Type	Amount	Name	Origin	Department / Division
60597	SOLE	\$ 52,234.64	ITT W & WW		Environment & Sustainable Infrastructure
61038	SOLE	\$ 52,306.64	ITT W & WW		Environment & Sustainable Infrastructure
57137	EXPD	\$ 60,000.00	CRL CAMPBELL CONSTRUCTION & DRAINAGE LTD		Environment & Sustainable Infrastructure
60562	SGLE	\$ 65,356.20	CORNELL CONSTRUCTION LIMITED		Environment & Sustainable Infrastructure
61039	SGLE	\$ 84,505.63	SCP SCIENCE		Environment & Sustainable Infrastructure
61040	SGLE	\$ 98,000.00	R V ANDERSON ASSOCIATES LIMITED		Environment & Sustainable Infrastructure
59971	SGLE	\$ 141,000.00	KATALOGIC INC		Environment & Sustainable Infrastructure
45674	EXPD	\$ 225,000.00	GENIVAR INC		Environment & Sustainable Infrastructure
53623	SGLE	\$ 230,000.00	STEER DAVIES GLEAVE		Environment & Sustainable Infrastructure
55716	EXPD	\$ 800,000.00	ALBERICI CONSTRUCTORS LTD		Environment & Sustainable Infrastructure
Public Works - Operations & Waste Management					
60589	NON	\$ 9,194.48	GREEN PROVENCE	OMD	Operations & Waste Management
60982	EXPD	\$ 16,631.00	MATTINA MECHANICAL LIMITED	OMD	Operations & Waste Management
60973	EMER	\$ 29,301.18	CONA CONTRACTING INC	OMD	Operations & Waste Management
60592	EMER	\$ 110,228.38	NEW ALLIANCE LTD	OMD	Operations & Waste Management
61096	EMER	\$ 268,714.75	RANKIN CONSTRUCTION INC.	OMD	Operations & Waste Management
Public Works - Transportation, Energy & Facilities					
60343	EMER	\$ 8,359.42	BAYCON CONSTRUCTION		Transportation, Energy and Facilities
60583	SGLE	\$ 10,840.00	CANADIAN PARKING EQUIPMENT LIMITED		Transportation, Energy and Facilities
60528	SGLE	\$ 11,300.00	STACEY ELECTRIC COMPANY LIMITED		Transportation, Energy and Facilities
60634	EMER	\$ 15,000.00	WM GROVES LIMITED		Transportation, Energy and Facilities
56839	EMER	\$ 18,000.00	OUTDOOR TRAVEL		Transportation, Energy and Facilities
60666	SGLE	\$ 20,000.00	EMBO PEST CONTROL		Transportation, Energy and Facilities
60382	SGLE	\$ 28,900.00	TRAPEZE SOFTWARE INC.		Transportation, Energy and Facilities
52023	SGLE	\$ 30,000.00	ARK-TECH CONTRACTING LTD		Transportation, Energy and Facilities
Avantis3	EXTN	\$ 40,000.00	DE FEO'S AUTO SERVICE		Transportation, Energy and Facilities
Avantis4	EXTN	\$ 40,000.00	M C AUTOMOTIVE		Transportation, Energy and Facilities
60527	SGLE	\$ 40,980.00	TRANE CANADA T42324C		Transportation, Energy and Facilities
60383	SOLE	\$ 50,000.00	THALES RAIL SIGNALLING SOLUTIONS INC		Transportation, Energy and Facilities
60647	SGLE	\$ 60,000.00	TACEL LTD		Transportation, Energy and Facilities
60983	SGLE	\$ 60,000.00	STACEY ELECTRIC COMPANY LIMITED		Transportation, Energy and Facilities
Avantis2	EXTN	\$ 90,000.00	CINO'S AUTO REPAIR		Transportation, Energy and Facilities
60334	SGLE	\$ 95,000.00	JOHNSON CONTROLS L.P.		Transportation, Energy and Facilities
Avantis1	EXTN	\$ 150,000.00	BARTON TRUCK & TRAILER SERVICE		Transportation, Energy and Facilities