



"IN CAMERA"

BUDGET AMENDMENT

DEPARTMENT: Public Works & Environmental Services	PAGE 1 OF 7
DATE PREPARED: June 23, 2006	REPORT NO. P.W. 06-100
"COUNCIL-IN-COMMITTEE" MEETING DATE: July 4, 2006	
SUBJECT: RESPONSE TO NICHOLS GRAVEL LIMITED LETTER DATED JUNE 19, 2006	

INTRODUCTION/BACKGROUND:

Staff responded to the deputation on May 2, 2006 from Mr. Gary Nichols to Council. This response was prepared in Report P.W. 06-70. Mr. Nichols received a copy of this report and subsequently responded to the Mayor and Council requesting more clarification in a letter dated June 19, 2006 relating to eight specific concerns. This report is a follow-up to Mr. Nichols' eight concerns. Mr. Nichols has indicated that he will be appearing as a deputation at the July 4, 2006 Council-in-Committee meeting.

DISCUSSION/ANALYSIS

Attached is the letter dated June 19, 2006 from Nichols Gravel Limited (Attachment No. 1)

Respectfully submitted by:	Prepared by:
Eric R. D'Hondt, P.Eng., General Manager Public Works & Environmental Services	John Hamilton, P.Eng., Manager of Roads For more information call: 519-582-2100 Ext. 300
COUNCIL-IN-COMMITTEE: _____	COUNCIL: _____
RES. NO. _____	RES. NO. _____
<input type="checkbox"/> Approved <input type="checkbox"/> Approved with Amendments <input type="checkbox"/> Other	<input type="checkbox"/> Approved <input type="checkbox"/> Approved with Amendments <input type="checkbox"/> Other

DISCUSSION/ANALYSIS (Continued)

Concern # 1: Season not finished.

Nichols Response:

Misleading response. Would imply intent to purchase

After the Spring maintenance of gravel roads in preparation for application of dust layer, there is almost **no** further requirement for Gran A under the Aggregate Quotation.

Staff Response:

For clarification, the Aggregate Quotation is for small quantities of Granular A that may be used throughout the year for various applications such as washout repairs, gravel road spot repairs, shoulder repairs, culvert installation and patching. As we are only mid-year, the "season is not finished" and the County will be buying Granular A as required.

2 Quote: "Response was correct (Mr. Hamilton) that the County can choose to use limestone rather than crushed gravel." Unquote

Nichols Response:

Please provide the authority of choice over cost to the tax payer, either in Purchasing Policy or previous Council resolution.

Staff Response:

The selection/choice of the most appropriate material is made based on the particular situation. No specific authority is required by staff for Council to choose the appropriate material but cost to the taxpayer will be a decisive factor when similar, specified material costs are considered. The cost and performance of a material is always considered when dealing with the taxpayers funds in recommending a supplier of Granular A.

Nichols Response:

Dwayne Nichols did not thank Mr. Hamilton for the shoulder gravel in Windham. There was no shoulder gravel purchased in 2006 for Windham or anywhere else. No sales 2006 Granular A to Norfolk County. Dwayne thanked Mr. Hamilton for calling back. Mr. Hamilton stated that trucks would be in to get shoulder gravel, but that didn't happen, and conversation has been badly misrepresented, which the total lack of purchases of Granular A 2006 confirm, and now we confirm that Norfolk County is placing shoulder gravel Gran. A over the concrete waste on Road 9 as of last week, but not from our pit sources.

Staff Response:

The Roads Division did, in fact, place shoulder gravel on Regional Road 9. The areas where waste concrete material have been excavated to a depth of 4 to 6 inches for a distance of approximately 500 feet and replaced with Granular A.

DISCUSSION/ANALYSIS (Continued)

The Granular A for the various shouldering projects in the Windham and Charlottesville area will be purchased under Contract PW-R-06-029. Mr. Nichols picked up this tender but did not bid on the supply of the Granular A (non-limestone) material.

#3 Quote: "False statement, gravel patching is what is taking place." Unquote.

Nichols Response:

Please provide totals of Granular A purchased for areas 1, 2, and 3 Spring of 2006. No gravel used.

Staff Response: Small Quantity Quotation

The table below shows the amounts of Granular A purchased in 2006 in each area based on invoices received to June 22, 2006. These quantities were purchased as per Quotation PW-R-06-003, Aggregate Quotation. Each Job Description may include multiple job sites.

Area	Job Description	Tonnage Purchased	Supplier
West Area (1)	Culvert Installations	45.67 tonnes	Norfolk Quarries
	Bridge Maintenance/Repairs	15.01 tonnes	Norfolk Quarries
	Gravel Road Washouts	326.7 tonnes	Norfolk Quarries
	Gravel Resurfacing	117.63 tonnes	Dufferin Aggregates
	Sub-Total	505.01 tonnes	
Central Area (2)	Bridge Maintenance/Repairs	406.94 tonnes	Norfolk Quarries
	Shoulder Maintenance/Washouts	326.70 tonnes	Norfolk Quarries
	Shoulder Maintenance/Washouts	37.23 tonnes	Oxford Sand & Gravel
	Gravel Road Washouts	641.96 tonnes	Norfolk Quarries
	Gravel Resurfacing	2293.22 tonnes	Norfolk Quarries
Sub-Total	3,706.05 tonnes		
East Area (3)	Culvert Installations/Repairs	191.81 tonnes	Norfolk Quarries
	Sidewalk Repair	40.32 tonnes	Norfolk Quarries
	Bridge Maintenance/Repairs	24.02 tonnes	Norfolk Quarries
	Storm Sewer Repairs	653.11 tonnes	Norfolk Quarries
	Shoulder Maintenance/Washouts	13.83 tonnes	Norfolk Quarries
	Gravel Road Washouts	2363.89 tonnes	Norfolk Quarries
	Gravel Resurfacing	3270.47 tonnes	Norfolk Quarries
Sub-Total	6,557.45 tonnes		
	Total	10,768.51 tonnes	

DISCUSSION/ANALYSIS (Continued)

#4 Quote: "These shoulders are to be upgraded as part of the 2006 maintenance program already identified." Unquote.

Nichols Response:

Please identify roads to be upgraded 2006 program and whether they include Rd. 4, 9, 37 and 16 and a copy of contract award as bid and awarded by County for this work.

Staff Response: Quantities Tendered

Sections of Road 4, 9,10, 25, Fertilizer Road are slated for shoulder upgrade in 2006 as well as a Spot Improvement on Argyle Ave. Delhi. Material for these maintenance items is being purchased under Contract PW-R-06-029 (note the same number mentioned above.) The table below shows the 2006 former Windham Township projects under Contract PW-R-06-029.

Item	Description	Estimate Quantity	Supplier	Anticipated Completion
Shouldering*	County Road 4 (Church St. to County Road 25)	6,552 tonnes	Thornton Sand & Gravel	July 31, 2006
Shouldering*	County Road 9 (County Road 4 to County Road 25)	1,740 tonnes	Thornton Sand & Gravel	June 30, 2006
Shouldering*	County Road 25 (County Road 4 to Teeterville)	480 tonnes	Thornton Sand & Gravel	August 2006
Shouldering*	Fertilizer Road (Harmony Road to Wilson Ave.)	336 tonnes	Thornton Sand & Gravel	August 2006
Spot Improvement**	Argyle Ave. (Johnson Ave. to end)	924 tonnes	Norfolk Quarries	August 2006

- * Granular A – Limestone not specified
- ** Granular A – Limestone – 100% crushed

Note: County Road 16 and 37 are not included in the contract but may require small quantities for spot and shoulder Granular A material under the small quantity quotation.

#5: Award Winter Sand to Livingston Attachment 4.

Nichols Response:

Note: Attachment 4 not included with copy left by Mr. D'hondt.

Staff response:

The attachment has now been faxed to Mr. Nichols on the morning of June 22, 2006.

DISCUSSION/ANALYSIS (Continued)

#6: Mileage Calculation: Response explains method used, but does not explain if my figures are accurate, or the Counties figures are inaccurate and why?

Staff Response:

Mileage figures are based on the route that will avoid as much driving in the urban area as possible. We request Mr. Nichols to provide his routes for mileage comparison prior to the 2006/2007 Winter Sand Quotation. A complete quotation summary (Refer to Attachment No. 2 as a sample) is sent to each bidder indicating the supplier, quoted bid and distance to each site. The suppliers have an opportunity at that time to express their concerns relating to mileages used by the County.

#7: Illegal weighing device: Quote: "Weights and measures Canada met with P.W. Staff and stated the measuring device used by Livingston was acceptable." Unquote

Nichols Response:

Please provide further particulars in writing from Weights and Measures Canada, the meeting date, name of Inspector and Public Works Staff involved, and why the 2006 Class 1 Stone Chip Tender contained a specific clause for the first time. Quote: "Norfolk County requires that the contractor use weigh scales equipped with an automatic printing device capable of producing tickets." Unquote.

Staff Response:

We have nothing in writing from Weights & Measures Canada relating to a meeting with Abdul Latif Chaudhry, Senior Inspector who met with John Hamilton and Eric D'Hondt on Thursday, January 26, 2006.

The reason staff included the specific clause noted is as follows. The printed ticket is a document that cannot be altered as the truck number, tare weight, net weight and ticket number are printed and not hand-written on each weigh ticket. The requirement for printed tickets protects the interests of both Norfolk County and the supplier of aggregate should there be any misinterpretation of the weight.