Present: Councillor L. Ferguson (Chair)  
Councillors B. Clark, R. Pasuta; D. Mattina (HHCA)

Absent with Regrets: Councillor T. Whitehead – FCM  
Joanne McCallum – Another Commitment  
Clive Thurston (OGCA)

Also Present: G. Davis, General Manager, Public Works  
R. Male, Director, Financial Services  
G. Moore, Director, Engineering Services  
A. Boakes, Manager, Purchasing  
D. Edwards, Senior Solicitor  
R. Besseling, Halton-Hamilton Construction Association  
C. Biggs, Legislative Assistant

THE PURCHASING SUB-COMMITTEE PRESENTS REPORT 10-001 AND RESPECTFULLY RECOMMENDS:

1. Amendment to Tender Documents (Items 3.1, 3.2 and 3.3)

That the following procedure be reflected in the instructions to vendors contained in the City’s procurement documents:

“That where the lowest compliant submission contains a legible change such as an erasure, strike out, white out, cross out or overwriting, the vendor be required to initial such change within one business day of the City’s request.

Audit and Administration Committee – March 3, 2010
Failure by the vendor to do so will result in the disqualification of the submission and the banning of the vendor (as defined in Section 4.1(3) of Purchasing Policy #1 – Policy for Vendor Eligibility) for a period of one (1) year from entering into or bidding on any contracts with the City.”

2. Process of Appointment of Citizens to the Purchasing Sub-Committee respecting Provision of Goods and Services to the City of Hamilton (New Business – No Copy)

(a) That staff be directed to correspond with the Chambers of Commerce requesting that a representative be appointed to participate on the Purchasing Sub-Committee for the purpose of reviewing policies, procedures and processes related to the provision of goods and services to the City;

(b) That staff be authorized and directed to publish a Notice to Citizens to solicit interested stakeholders to participate on the Purchasing Sub-Committee.

FOR THE INFORMATION OF THE COMMITTEE:

(a) Call to Order and Declarations of Interest (Item 1)

Councillor Ferguson called the meeting to order and asked if there were any declarations, of which there were none.

(b) Approval of Previous Minutes – August 20, 2007 (Item 2)

On a motion, the Minutes of the August 20, 2007

(c) Verbal Updates

(i) Stipulated Price Construction Request for Tenders
(ii) New Instructions to Bidder
(iii) Goods and Services Request for Tenders

Gary Moore distributed a presentation to the Committee which outlined the following:
• Background, including direction to staff to review the City's construction documents and harmonize with the CCDC documents; formation of Working Group comprised of representatives from Legal Services, Public Works, Community Services and Purchasing;

• Process, including initial consultations with HHCA and OGCA on issues raised at Purchasing Sub-Committee; document clarity, consistency and risk allocation, particularly with respect to Stipulated Price

• Reviewed “Instructions to Bidders, General Conditions and CCDC2-2008” documents with respect to stipulated price contracts

• New request for tenders documents will consist of: Instructions to Bidders (standard and project specific); CCDC2-2008; supplementary conditions (standard and project specific)

• Reported that several contracts have been issued using the new documents; well received by the construction industry and City Working Group to be maintained to monitor, liaise and revise as necessary

• Outlined New Instructions to Bidders (past practice and new practice with respect to Addenda, erasures, changes, overwrites, whiteouts, cross outs or strikeouts) but seeking direction from sub-committee on a go-forward basis with respect to changes

• Three options presented: Option 1 – require initial of each change; Option 2 – require no initialling of changes; Option 3 – status quo (current practice includes two separate processes)

• Presentation also included change in membership of the purchasing Sub-Committee and the Working Group to review Requests for Tenders for goods and services.

On a motion, the verbal updates were received.

Domenic Mattina spoke on behalf of the HHHCA and indicated that they are satisfied with the document i.e., instruction to bidders and supplementary conditions.

See Item 1 for the disposition of this item.
(d) Adjournment

There being no further business, the Committee adjourned at 2:30 p.m.

Respectfully submitted

Councillor L. Ferguson, Chair
Purchasing Sub-Committee

Carolyn Biggs
Legislative Assistant
February 12, 2010