Council – April 13, 2011

AUDIT, FINANCE & ADMINISTRATION COMMITTEE
REPORT 11-005
Wednesday, April 6, 2011
9:30 a.m.
Council Chambers
City Hall
71 Main Street West
Hamilton, Ontario

Present: Councillors B. Clark (Chair), B. Johnson (Vice Chair), M. Pearson and R. Powers

Absent with Regrets: Councillor B. Morelli – Personal/Bereavement

Also Present: Mayor R. Bratina
C. Murray, City Manager
P. Barkwell, City Solicitor
R. Rossini, General Manager, Finance & Corporate Services
T. Tollis, Treasurer
H. Tomasik, Executive Director, H.R. & Organizational Development
A. Pekaruk, Internal Auditor
R. Male, Director, Financial Services
A. Mastandrea, Procurement Manager
J. Spolnik, Director, Building Services
G. Moore, Director, Engineering Services
D. Drozdz, Senior Procurement Specialist
J. Mulligan, Procurement Specialist
S. Paparella, Legislative Assistant, Office of the City Clerk

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 11-005, AND RESPECTFULLY RECOMMENDS:

1. Return to Work Services Performance Measures (HUR11003) (City Wide) (Item 5.1)

That Report HUR11003, respecting the Return to Work Services Performance Measures, be received.

Council – April 13, 2011
2. Monthly Status Report of Tenders and Requests for Proposals for February 5, 2011 to March 11, 2011 (FCS11004(a)) (City Wide) (Item 5.2)

That Report FCS11004(a), respecting the Monthly Status Report of Tenders and Requests for Proposals for February 5, 2011 to March 11, 2011, be received.

3. Quarterly Status Report on the use of Policy 10 - Emergency Purchasing and Policy 11 - Negotiations for the 4th Quarter 2010 (FCS10031(c)) (City Wide) (Item 5.3)

That Report FCS10031(c), respecting the Quarterly Status Report on the use of Policy 10 - Emergency Purchasing; and, Policy 11 - Negotiations for the 4th Quarter 2010, be received.

4. Treasurer's Apportionment of Land Taxes for Properties in Stoney Creek (FCS11001(b)) (Ward 11) (Item 5.4)

(a) That the 2010 property taxes, in the amount of $2,089, for 85-97 Palacebeach Trail, Stoney Creek, (Roll #2518 003 020 31820 0000) be apportioned and split amongst the seven newly created parcels, as outlined in Appendix A to Report 11-005;

(b) That the 2010 tax payment, in the amount of $517, for 85-97 Palacebeach Trail, Stoney Creek, (Roll #2518 003 020 31820 0000) be apportioned and split amongst the seven newly created parcels, as outlined in Appendix A attached to Report 11-005.

5. Follow Up of Audit Report 2009-06 - Hamilton Emergency Services - Fire Prevention Division (AUD11022) (City Wide) (Item 5.5)

That Report AUD11022, respecting the follow up of Audit Report 2009-06, Hamilton Emergency Services - Fire Prevention Division, be received.

6. Follow Up of Audit Report 2009-07 - Rostered and Multi Vendor Contracts (AUD11020) (City Wide) (Item 5.6)

That Report AUD11020, respecting the follow up of Audit Report 2009-07, Rostered and Multi Vendor Contracts, be received.
7. Procurement Card Usage Audit (AUD10022) Update (FCS11030) (City Wide) (Item 5.7)

That Report FCS11030, respecting the Procurement Card Usage (Audit Report AUD10022) Update, be received.

8. Ivan Holloway, on behalf of Capital Sewer Services Inc., respecting Contract 11-102-10, Inspection and Cured-in-Place Pipe Structural Rehabilitation for Existing Sewers in the City of Hamilton (Item 6.1)

(a) That the presentation, provided by Ivan Holloway, on behalf of Capital Sewer Services Inc., respecting Contract 11-102-10, Inspection and Cured-in-Place Pipe Structural Rehabilitation for Existing Sewers in the City of Hamilton, be received.

(b) That no further action be taken, respecting Capital Sewer Services Inc.'s bid on Contract 11-102-10, Inspection and Cured-in-Place Pipe Structural Rehabilitation for Existing Sewers in the City of Hamilton.

9. Audit Report 2010-10 - Development Charges (AUD11016) (City Wide) (Item 8.1)

(a) That Report AUD11016 respecting Audit Report 2010-10, Development Charges, be received;

(b) That the management action plans as outlined in Appendix “B” attached to Report 11-005, be approved;

(c) That the General Managers of Planning and Economic Development and Finance and Corporate Services be directed to instruct the appropriate staff to have the Management Action Plans as outlined in Appendix “B” to Report 11-005, implemented;

(d) That staff be directed to implement process controls that will safeguard the dates required for the receipt of building permits, in order to ascertain the correct amount of development charges that are to be obtained.

10. Annual Follow Up of Outstanding Audit Recommendations (AUD11021) (City Wide) (Item 8.2)

(a) That Report AUD11021, respecting the Annual Follow Up of Outstanding Audit Recommendations, be received;

(b) That the Annual Follow Up of Outstanding Audit Recommendations process, as attached in Appendix “C” of Report 11-005, be approved.

Council – April 13, 2011
(c) That the City Manager be directed to review the non-compliant Internal Audit recommendations, from over the last 6 years, to determine the reasons why the changes were not implemented, and report back to the Audit, Finance & Administration Committee by the end of June 2011.

11. Interest Payment Policy on Cash Securities regarding Development Agreements (FCS11029) (City Wide) (Item 8.3)

That the Policy attached as Appendix “D” to Report 11-005 respecting “Interest Payment Policy – Cash Securities for Development” be approved.

12. Grants Sub-Committee Report 11-002

(a) Former National Child Benefit Grants Transition to Community Partnership Program Update (GRA11004) (City Wide) (Item 4.1)

(i) That the $44,000 previously allocated to the Parents Providing Care Program, be tabled until June 2, 2011, to provide opportunity for the Salvation Army – Grace Haven to identify an alternate community partner.

(ii) That the National Child Benefit Programs be exempt from the 30% guideline for 2011, and that the circumstances of the NCB Program be reviewed on an annual basis.

(iii) That programs identified under the NCB category attached as Appendix E to Report 11-005 in the 2011 Social and Community Services Stream of the Community Partnership Program, be transitioned into other categories and that the NCB category be closed.

(b) 2010 Annual Report - Community Partnership Program (Social and Community Services Stream) (GRA11005) (City Wide) (Item 4.2)

That Report GRA11005, respecting the 2010 Annual Report - Community Partnership Program (Social and Community Services Stream), be received.

(c) 2011 Community Partnership Program (GRA11003) (City Wide) (Item 5.2)

(i) That the 2011 Community Partnership Program recommended funding allocation, in the amount of $3,259,591, as outlined in the attached Appendix “F” to Report 11-005, be approved.
(ii) That the Event Road Closure Services attached as Appendix F to Report 11-005, in the amount of $298,408, be approved.

(iii) That $15,924.41, of the $298,408 for Event Road Closures be earmarked for:

1. Flamborough/Waterdown Santa Clause Parade Committee
2. Hamilton Mustard Festival
3. Hamilton Pride Parade
4. Ottawa Street BIA

pending the receipt of completed ERCS application forms by the Event Organizers.

(iv) That any additional Event Road Closure requests, outside of those shown in the attached Appendix F to Report 11-005, be considered on a pro-rata basis, based on submission only, if at year-end the Community Partnership Program is in a surplus position.

(v) That, in the case where a successful grant applicant has outstanding arrears with the City of Hamilton, the grant first be applied against the outstanding arrear as of December 31, 2010, with the remainder to be paid to the organization, in accordance with the Community Partnership Program payment plan.

(vi) That the unallocated balances in the Special Events ($21,000); Recreation & Sports ($584); and Culture ($11,247) categories, of the Community Partnership Program, be first used toward funding additional programs in those areas.

(vii) That $30,761 be earmarked for Theatre Aquarius, in the Culture Category; pending final rating of the application and resolution of the treatment of Theatre Aquarius funding.

(viii) That $42,773 be earmarked for Theatre Aquarius, in the Committed Category, pending final rating of the application and resolution of the treatment of Theatre Aquarius funding.

(ix) That the amount of $43,442, representing 1.5% of the traditional grant allocation for a contingency budget be dedicated for 2011 unexpected Community Partnership Program funding.

(x) That funding in excess of the 30% maximum guidelines for the following Community Services programs, within the Community Partnership Program, be approved in 2011:

1. Community Information Services – 32% ($81,228)
2. East Kiwanis - Multicultural Parent Program – 31% ($25,000)
3. Neighbour to Neighbour – Community Outreach (new) – 43% ($6,533)

(xii) That the following groups receive an annual grant within the Special Events Category, of the Community Partnership Program, to be transferred from the Event Road Closure Services budget to the Special Events budget base for the total amount of $31,066.71, in lieu of Event Road Closure Services to cover the cost of road services:

1. Ancaster Remembrance Day ($600.00)
2. Remembrance Day (Dundas Legion) ($500.00)
3. Hamilton Remembrance Day ($1,300.00)
4. Stoney Creek Remembrance Day ($200.00)
5. Waterdown Remembrance Day ($300.00)
6. Hamilton Firefighters Chilli Cook-Off (Hamilton Professional Firefighters Association) ($220.63)
7. Road 2 Hope (City Kidz) ($441.25)
8. Annual Scout/Guide Parade (Hamilton Scout/Guide Parade Committee) ($956.05)
9. Communita Maria SS Del Monte (3) (Communita Racalmutese) ($808.97)
10. Rockton World's Fair (Rockton Agricultural Society) ($294.17)
11. Around the Bay Road Race (Around the Bay Road Race Inc.) ($1,029.59)
12. Dared-to-Tri Triathlon (Ancaster High School) ($4,412.54)
13. Stoney Creek Flag Day (Stoney Creek Chamber of Commerce) ($735.42)
14. Ancaster Heritage Days Parade (Ancaster Heritage Day Committee) ($735.42)
15. Ancaster Old Mill Race (Ancaster Old Mill Race) ($294.17)
16. Dundas International Buskerfest (Dundas International Buskerfest Committee) ($4,780.25)
17. Open Streets Hamilton (June 2011) ($1,470.85)
18. Lynden Canada Day Parade (Lynden Canada Day Committee) ($367.71)
19. Dundas Cactus Festival (Dundas Cactus Festival Assoc.) ($2,482.05)
20. Hamilton Mardi Gras Carnival Parade (Hamilton Carnival Cultural Committee) ($956.05)
21. Labour Day Parade (Hamilton and District Labour Council) ($588.34)
22. Open Streets (Sept 2011) ($1,470.85)
23. Super Crawl ($1,836.56)
24. The Locke Street Festival (Locke Street Merchants Association) ($367.71)
25. Hamilton Santa Claus Parade ($2,353.35)
26. Stoney Creek Santa Claus Parade ($735.42)
27. Dundas Cactus Parade ($827.35)

(xiii) That staff be directed to discuss, with Hamilton Police Services, the transition of the Event Road Closure Services budget to Police Services, effective 2012.

(xiv) That $20,000, to be funded one-time only from the Community Partnership Program reserve, be allocated to the Waterfront Trust, to be directed toward the 2011 Wingfest, subject to the following:

(i) The event organizer must provide all required Community Partnership Program application documentation to the Grants Coordinator; and,

(ii) That future Community Partnership Program applications, if any, for the Waterfront Trust – Wingfest, be subject to review; approval of future applications would be contingent upon the event organizer providing all required Community Partnership Program application documentation to the Grants Coordinator and receipt of a satisfactory rating and availability of funds.

(xv) That staff be directed to use Community Partnership Program contingency funds, in an amount not to exceed $10,000, to support the amended recommendations to 2011 Community Partnership Program grants for 2011 as outlined in the attached Appendix F to Report 11-005.
13. Interview Sub-committee (to the Audit, Finance & Administration Committee) Report 11-001 (Item 12.1)

(a) Advisory Committee for Immigrants and Refugees (Item 4.1)

That the following applicants be appointed to the Advisory Committee for Immigrants and Refugees for the 2010-2014 term of Council or until such time as successors are appointed by Council:

1. Dena Honig 11. Joana Fejzaj
2. Isaac Acquah 12. Rita Giancarlo
3. Dustin Rouse 13. Zafar Siddiqui
5. Maher Hamade 15. Aspy Ayrton
7. Thayra Martin 17. Nasir Sarwar
8. Teresa Simms-Obidi 18. David Hosten
9. Shuja Qureshi 19. Arvind Sahay

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes to the agenda:

(i) Added as Item 3.2 – Minutes of the March 24, 2011 Special meeting of the Audit, Finance & Administration Committee

(ii) Added as Item 8.4 – Grants Sub-committee Report 11-002, dated March 30, 2011

The agenda for the April 6, 2011 meeting of the Audit, Finance & Administration Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.
(c) APPROVAL OF MINUTES OF PREVIOUS MEETINGS (Item 3)

(i) March 2, 2011 (Item 3.1)

The Minutes of the March 2, 2011 meeting of the Audit, Finance & Administration Committee were approved, as presented.

(ii) March 24, 2011 – Special Meeting (Item 3.2)

The Minutes of the March 24, 2011 Special meeting of the Audit, Finance & Administration Committee were approved, as presented.

(d) DELEGATIONS (Item 6)

(i) Ivan Holloway, on behalf of Capital Sewer Services Inc., respecting Contract 11-102-10, Inspection and Cured-in-Place Pipe Structural Rehabilitation for Existing Sewers in the City of Hamilton (Item 6.1)

Mr. Ivan Holloway, Legal Counsel for Capital Sewer Services Inc., addressed Committee, respecting Capital Sewer Services Inc.’s bid for Contract 11-102-10, Inspection and Cured-in-Place Pipe Structural Rehabilitation for Existing Sewers in the City of Hamilton. Mr. Holloway’s comments included, but were not limited to, the following:

- Capital Services is a Hamilton based company that employs approximately 100 people and does approximately $25 million in business annually.

- Capital is in the business of inspecting, cleaning, repairing and rehabilitating sewer pipes; and is one of the largest businesses of its type in Canada.

- December 2010, Capital bid on City of Hamilton Contract C11-102-10 – to clean, inspect and replace sewer lines; a three (3) year contact worth approximately $15 million.

- Capital Sewer Services Inc. and Insituform Technologies Ltd. were the only two bidders on this project.

- The two step project required bidders to first submit a technical proposal that demonstrated their qualifications for the project. The second step required bidders to submit a price for the scope of work. A bidder must first prequalify before the City will entertain the bidders cost proposal.
• Capital was 2.5 points short of the 80 points required to prequalify. The reason provided by the City was that Capital had failed to include a copy of their Health and Safety Manual in its technical proposal. Capital was advised that they lost 10 points for failing to include the Health and Safety Manual.

• Capital believes that they had provided a copy of their Heath and Safety Manual with their technical proposal. Capital offered to submit another copy of the Health & Safety Manual afterward, but the City would not allow them to do so, as the bid process had already closed.

• Capital Sewer Services Inc. is respectfully requesting that the Audit, Finance & Administration Committee intervene and direct staff to exercise reasonable discretion to accept a further copy of Capital’s Health and Safety Manual so that Capital may be prequalified for this project.

Refer to Item 8 for Committee’s disposition respecting this matter.

(ii) Chad Pearson, of Plexxis, respecting a Biometric Labour Expenses Control Tool (Item 6.2)

Chris Loranger, Chief Executive Officer, and Chad Pearson, Business Developer, of Plexxis, provided a presentation to Committee, respecting a the Mobile Hand Punch system. Their comments included, but were not limited to, the following:

• The Mobile Hand Punch system is a portable hand reader that controls labour, safety and security issues from any location.
• The hand punch reader assists with problems of accountability and transparency.
• Plexxis is a corporation located in Vaughn that does custom software, IT services and creates products that maximize productivity.
• Was approved for use by the Alberta Privacy Commissioner.
• Can be used immediately, as no set up is required.
• Traditional hand readers need to be hand wired into the wall – this one does not and is completely mobile.
• Eliminates buddy punching – you know exactly what time an employee clocks in and out.
• Plexxis is the only company that provides a mobile system.
• When an employee clocks in/out using hand reader, the technology forwards that data directly to your payroll system.
• Software can collect metrics on specific jobs.
• Reduces gross payroll by 5-7%.
• Collects metrics on the job that is being completed.
• Plexxis can assist the City with a pilot project.
• Each unit, depending on the customization required, runs between $4,000 and $6,000 per unit.
• With respect to the number of units that Hamilton would require, it was recommended that, if everyone were clocking in at the same time, Hamilton would require one unit per 50 employees. If employees were clocking in at staggered times, one unit per 100 employees would be required.
• Unit comes with a one year warranty; however, support would be provided after that time for a monthly fee.

The presentation, provided by Chris Loranger, Chief Executive Officer and Chad Pearson, Business Developer, of Plexxis, respecting their Mobile Hand Punch system, was received.

The Plexxis presentation, respecting a Mobile Hand Punch system, was referred to the City Manager to review and investigate the feasibility and costs associated of using the Mobile Hand Punch system for a pilot project, and report back to the Audit, Finance & Administration Committee.

(e) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

The following proposed new due dates, were approved:

(i) Outstanding Business List Amendments (Item 11.1)

(a) Item “B” – Feasibility of an Auditor General Position
Current Due Date: May 4, 2011
Proposed New Due Date: June 22, 2011

(b) On-Line Municipal Services and Fees
Current Due Date: April 6, 2011
Proposed New Due Date: Subsequent to GIC’s receipt of the forthcoming report respecting the Redevelopment of the City’s Web Site.

(f) PRIVATE & CONFIDENTIAL (Item 12)

(i) Interview Sub-committee (to the Audit, Finance & Administration Committee) Report 11-001 (Item 12.1)
As the Audit, Finance & Administration Committee determined that no discussion was required, respecting Interview Sub-committee Report 11-001, Item 12.1 was approved in Open Session, as shown in Item 13 above.

(ii) Ivan Holloway, on behalf of Capital Sewer Services Inc., respecting Contract 11-102-10, Inspection and Cured-in-Place Pipe Structural Rehabilitation for Existing Sewers in the City of Hamilton (Item 6.1)

Committee had moved into Closed Session, at 10:48 a.m., pursuant to Section 8.1, Sub-section (f) of the City’s Procedural By-law 03-301, and Section 239, Sub-section (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to the receiving of advice that is subject to solicitor-client privilege, including communications for that purpose.

Committee reconvened in Open Session at 11:20 a.m., and provided their recommendation in Item 8 above.

(g) AJOURNMENT (Item 13)

There being no further business, the Audit, Finance and Administration Committee adjourned at 11:21 a.m.

Respectfully submitted,

Councillor Brad Clark, Chair
Audit, Finance and Administration Committee

Stephanie Paparella
Legislative Assistant
April 6, 2011