Moved by: Councillor Arif Khan  
Seconded by: Councillor Andrew Prince

WHEREAS The City of Barrie has published the pre-qualification RFP for the Harvie Road and Big Bay Point overpass detained design consultant (FIN 2016-004PQ);  

AND WHEREAS City Staff reports have identified the Harvie Road/Big Bay Point Road crossing as the required east-west link to provide the traffic relief necessary to adequately service existing residents and businesses and accommodate ongoing growth in Barrie;  

AND WHEREAS the City’s Multi-Modal Active Transportation Master Plan of January 2014 shows the Harvie Road/Big Bay Point Road Crossing as necessary and completed by 2016;  

AND WHEREAS that on October 5th, 2016 Council has passed a motion to highlight the urgency of the Harvie Road and Big Bay Point Road crossing and moving construction forward by one year;  

AND WHEREAS the City of Barrie has an opportunity to include performance-based contracts in the invitational RFP to pre-qualified detailed design consultants;  

AND WHEREAS the successful Design Consultant could save project time in identifying deliverables that could be completed concurrently. For example concurrent activities could include; identifying land for possible acquisition and early identified pre-build construction work like removal of the railway ties and completing the Highway 400 pillars while the Ministry of Transportation installs new medians through Barrie, and accelerating the bridge construction.  

AND WHEREAS performance based contracting in public procurement is endorsed and used by the Federal Government (reference: Public Works and Government Services Canada Supply Manual section 4.70.25. Contract Performance Incentives);  

AND WHEREAS performance based contracts are endorsed as a supplier management tool by public procurement expert and recent City of Barrie consultant Paul Emanuelli (reference Accelerating the Tendering Cycle: A Legal Due Diligence Guide, 2012 by Paul Emanuelli);  

THEREFORE BE IT RESOLVED THAT:

1. Staff include performance based payments for the successful proponent of the Harvie Road and Big Bay Point Road Detailed Design Consultant. Performance payments at a minimum are to include:

   a. Bonus payment of 7% for final construction RFP specifications and documentation complete within eight months after the award of the contract.

   b. Bonus payment of 3% for completing deliverables concurrently to allow other project aspects to move forward and reduce the overall project schedule by at least four months.

   c. A 10% penalty for a delay the delivery on construction specifications and documents beyond the 12 months, from the start date.

2. That staff closely monitor the progress of the Detailed Design Consultant and initiate property acquisition discussions to accommodate the Harvie Road/Big Bay Point Crossing in the Fall of 2016
a. That staff ensure that RFP’s are drafted and ready to be released in January 2017 for the relocation of utilities required to accommodate the Harvie Road/Big Bay Point Crossing

b. That staff ensure that the project website for this project includes details of all activities including requests for approvals and input from other agencies, departments and levels of government such as the Lake Simcoe Conservation Authority and the Ontario Ministry of Transportation, posting of Minutes, submission dates, etc.