

CORPORATION OF THE TOWN OF RENFREW  
BY-LAW NO. 59-2016

Being a by-law to award a tender and authorize the Mayor and Clerk to execute an agreement with Smiths Construction, a Division of Miller Group Inc, for the construction of a road linking Stewart Street and Albert Street.

**WHEREAS** under Section 11 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, the Corporation of the Town of Renfrew has the authority to pass by-laws to enter into agreements; and

**WHEREAS** the Town of Renfrew is desirous to construct a road linking Stewart Street and Albert Street and which will also support an adjacent professional building proposed for future development; and

**WHEREAS** public tenders were requested for the construction of this new road based on project design drawings and specifications prepared by Jp2g Consultants Inc.; and

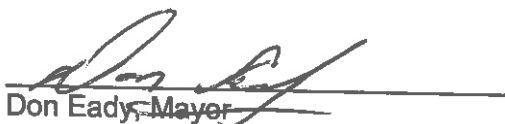
**WHEREAS** the tender submitted by Smiths Construction, a Division of Miller Group Inc., is recommended for adoption by staff of the Development & Works Department.

**NOW THEREFORE** the Council of the Corporation of the Town of Renfrew hereby enacts:

1. **THAT** the Council of the Corporation of the Town of Renfrew approve of the awarding of the tender from Smiths Construction, a Division of Miller Group Inc., for the construction of a road linking Stewart Street and Albert Street, in the amount of \$201,898.50 plus HST.
2. **THAT** the Mayor and Clerk be and are hereby authorized on behalf of the Corporation of the Town of Renfrew to execute an agreement with Smiths Construction, a Division of Miller Group Inc., in the form attached hereto as Schedule "A" and forming part of this By-Law as if fully recited herein.
3. **THAT** the Mayor and Clerk be empowered to do and execute all things, papers and documents necessary to the execution of the said agreement.
4. **THAT** this By-law shall come into force and take effect immediately upon the passage thereof.

Read a first and second time this 23<sup>rd</sup> day of August, 2016.

Read a third time and finally passed this 23<sup>rd</sup> day of August, 2016.

  
Don Eady, Mayor

  
Kim R. Bulmer, Clerk

Schindler "A" TO

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HEALTH VILLAGE LANE CONSTRUCTION  
PROJECT NO. 07-2016

CONTRACT AGREEMENT

THIS AGREEMENT made in duplicate this 17th day of September, 2016

between: SMITHS CONSTRUCTION of the  
ADMISSION OF THE MILLER GROUP INC.  
Town of Renfrew in the  
County of Renfrew, Province of Ontario

Hereinafter called the "Contractor"  
THE PARTY OF THE FIRST PART

- and -

THE CORPORATION OF THE TOWN OF RENFREW  
Hereinafter called "The Corporation"  
THE PARTY OF THE SECOND PART

WITNESSETH, That the party of the first part, for and in consideration of the payment or payments specified in the Tender for this work, hereby agrees to furnish all necessary machinery, tools, equipment, supplies, labour and other means of construction and, to the satisfaction of the Contract Administrator, to do all the work as described hereafter, furnish all the materials except as otherwise specified, and to complete such works in strict accordance with the Plans, Specifications and Tender herefore, which are identified and acknowledged in the Schedule of Plans, Specifications and General Conditions attached to the Tender document and all of which are to be completely to all intents and purposes as though all the stipulations hereof have been embodied herein.

DESCRIPTION OF THE WORKS:

HEALTH VILLAGE LANE CONSTRUCTION

Works include but are not limited to: paving and grading, new culverts, minor ditching, watermain, and line painting.

The Contractor further agrees that he will deliver the whole of the works completed in accordance with this Agreement within the time stipulated in the General Special Provisions entitled "Liquidated Damages".

The Contractor agrees that any monies due the Corporation as a result of non-completion of the works within the time stipulated may be deducted from any monies due the Contractor on any account whatsoever.

IN CONSIDERATION WHEREOF, Said party of the second part agrees to pay the Contractor for all work done based on the unit prices of the Tender.

This Agreement shall inure to the benefit of and be binding upon the heirs, executors, administrators, and assigns of the parties hereto.

Acceptance of the Contractor's offer by the Corporation and execution of this Agreement by the Contractor shall constitute a legally binding agreement between both parties.



IN WITNESS WHEREOF, the Contractor and the Corporation have hereto signed their names and set their seals on the day first above written.

\_\_\_\_\_  
Signature of Contractor Witness  
and position held  
or Corporation Seal

  
\_\_\_\_\_  
Signature of Contractor

TOWN OF RENFREW

\_\_\_\_\_  
Seal of the Municipal Corporation

  
Signature of designated Municipal Officer  
and position held *DON LEADY, Mayor*  
  
Signature of designated Municipal Officer  
and position held *Kim D. Burnie, Clerk*