

THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

106-79

Number.

To authorize the execution of an agreement with Vic Palmer Enterprises Limited Contract No. 79-06 (weed spraying)

WHEREAS it is deemed expedient to enter into and execute Contract No. 79-06 with Vic Palmer Enterprises Limited;

NOW THEREFORE the Council of the Corporation of the City of Brampton ENACTS as follows:

- (1) That the City of Brampton enter into and execute Contract No. 79-06 with Vic Palmer Enterprises Limited, attached hereto as Schedule "A".
- (2) That the Mayor and the Clerk are hereby authorized to affix their signatures to the said Contract No. 79-06 with Vic Palmer Enterprises Limited, attached hereto as Schedule "A".

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 7th day of May, 1979.

James E. ARCHDEKIN, Mayor

Ralph A. EVERETT, Clerk

PASSED _____ May 7, ____ 19 ___ 79



BY-LAW

106-79 No._

To authorize the execution of an agreement with Vic Palmer Enterprises Limited Contract No. 79-06 (Weed spraying)

pration of the City of Brampton

CERTIFICATE OF LIABILITY INSURANCE

Commerce and Industry Insurance Company of Canada (INSURANCE COMPANY)

TO: THE CORPORATION OF THE CITY OF BRAMPTON

ADDRESS: 24 QUEEN STREET, EAST, BRAMPTON, ONTARIO, L6V 1A4

THIS IS TO CERTIFY THAT Vic Palmer Enterprises Ltd.

(CONTRACTOR)

Whose Address is 56 Cavendish Crescent, Bramalea, Ontario L6T 1Z4. has comprehensive liability insurance in this Company under Policy No. <u>N3973-#137</u> covering legal liability for damages because of:

- A. Bodily injury, sickness or disease, including death at any time resulting therefrom.
- B. Damage to or destruction of property of others caused by accident.

Subject to a limit of liability of not less than \$1,000,000.00 inclusive for any one occurrence or accident which insurance applies in respect of all operations, including liability assumed under contract with the Corporation. The policy does not contain any exclusions or limitations in respect of the use of explosives or in respect of shoring, underpinning, raising or demolition of any building or structure, pile driving, caisson work, collapse of any structure, or subsidence of any property, structure, or land from any cause.

THE POLICY EXPIRES ON December 31st, 1979

AND WILL NOT BE ALTERED, CANCELLED OR ALLOWED TO LAPSE WITHOUT THIRTY (30) DAYS PRIOR NOTICE TO THE CORPORATION.

With respect to Contract No. 79-06 for the & MARTINE TERMENT

Weedspraying of Parklands & Boulevards.

We certify that the Corporation will be coinsured with the Contractor.

DATE: <u>May 2nd, 1979</u> Alberts/Smelex-Coclburg Insurance anne COUNTERSIGNED:

CONTRACT NO. 79-06

This Agreement made in Quadruplicate this 30th day of April 1979

The Corporation of the City of Brampton (Hereinafter called "The Corporation" of the First Part

-AND-

Vic Palmer Enterprises Ltd. (Hereinafter called "The Contractor" of the Second Part

WITNESSETH

BETWEEN:

That the Corporation and the Contractor in consideration of the fulfillment of their respective promises and obligations herein set forth covenant and agree with each other as follows:

ARTICLE 1

(A) A general description of the work is:

Weedspraying of Parklands and Boulevards

(B) The contractor shall, except as otherwise specifically provided, at his own expense provide all and every kind of labour, machinery, plant, structures, roads, ways, materials, appliances, articles and things necessary for the due execution and completion of all the work set out in this contract and shall forthwith according to the instructions of the Commissioner of Parks and Recreation, commence the works and diligently execute the respective portions thereof, and deliver the works complete in every particular to the Corporation within the time specified in the Information to Bidders and in the tender.

ARTICLE 2

In the event that the tender provides for and contains a contingency allowance, it is understood and agreed that such contingency allowance is merely for the convenience of accounting by the Corporation, and the Contractor is not entitled to payment thereof except for extra or additional work carried out by him in accordance with the Contract and only to the extent of such extra or additional work.

ARTICLE 3

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In case of any inconsistency or conflict between the provisions of this Agreement and the Plans, or Specifications, or General Conditions, or Tender or any other document or writing the Provisions of such documents shall take precedence and govern in the following order namely:

- (1) This Agreement
- (2) Special and/or Supplemental Provisions
- (3) Information for Tenderers
- (4) General Conditions
- (5) Standard Specifications (Detailed Work)
- (6) Plans
- (7) Tender

The foregoing documents enumerated 1 to 7 inclusive are all the Contract documents and constitute the full agreement between the parties.

ARTICLE 4

The Corporation covenants with the Contractor that the Contractor having in all respects complied with the Provisions of this Contract will be paid for the works included herein in accordance with the unit prices as set out in the Bid Sheet, forming part of this Contract, and in accordance with the Provisions as set out in the Conditions and Specifications forming part of this Contract.

Subject to Article 2 hereof and subject to such additions and deductions as may properly be made under the terms hereof, subject to the Provision that the Corporation may make payments on account monthly or otherwise as may be provided in the General Conditions attached hereto.

ARTICLE 5

Where any notice, direction or other communication is required to be or may be given or made by one of the parties - heretoto the other or to the Commissioner of Parks and Recreation, it shall be deemed sufficiently given or made if mailed by prepaid first class mail or delivered in writing to such party or to the Commissioner at the following addresses:

THE CONTRACTOR:

Vic Palmer Enterprises Ltd. 56 Cavendish Crescent, Bramalea, Ontario L6T 124.

THE COMMISSIONER:

D.M. Gordon, Commissioner of Parks and Recreation, City of Brampton 150 Central Park Drive Bramalea, Ontario.

ARTICLE 5 (Contd.)

However, in the matter of "Call Back Work", as defined in Information to Tenderers, verbal communication with the Contractor shall be deemed as sufficient notice.

ARTICLE 6

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A copy of each of the Contract documents is hereto annexed and together with the Specifications referred to in the Contract Documents and the Plans listed in the Specifications, are made part of this contract as fully to all intents and purposes as though recited in full herein.

ARTICLE 7

No implied contract of any kind whatsoever by or on behalf of The Corporation shall arise or be implied from anything in this Contract contained, nor from any position or situation of the parties at anytime, it being clearly understood that the express covenants and agreements herein contained made by The Corporation shall be the only covenants and agreements upon which any rights against The Corporation may be founded.

ARTICLE 8

Time shall be deemed the essence of this contract.

ARTICLE 9

The Contractor declares that in tendering for the works and in entering into this contract he has either investigated for himself the character of the work and all local conditions above and below ground surface where applicable that might effect his tender or his acceptance of the work, or that not having so investigated he is willing to assume and does hereby assume all risk of conditions arising or developing in the course of the work which might or could make the work, or any items thereof more expensive in character, or more onerous to fulfill, than was contemplated or known when the Tender was made or the Contract signed. The Contractor also declares that he did not and does not rely upon information furnished by any methods whatsoever, by the Corporation or its employees, being aware that any information from such sources was and is approximate and speculative only, and was not in any manner warranted or guaranteed by the Corporation.

ARTICLE 10

This Contract shall apply to and be binding on the Parties hereto and their heirs, executors, administrators, successors and assigns and each of them.



IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals the day and year first above written or caused their corporate seals to be affixed, attested by the signature of their proper officers as the case may be.



CORPORATION OF THE CITY OF BRAMPTON

MAYOR CLERK

FOR

CONTRACT NO. THE CALLER FIRM NAME THIS TENDER SUBMITTED BY 47 Con 2. 4 City INDIVIDUAL Enanceling il TIZY ADDRESS 4.5. ---- TELEPHONE NUMBER.

TO THE MAYOR AND COUNCIL OF THE CORPORATION OF THE CITY OF BRAMPTON.

I/we, the undersigned declare that no person, firm or corporation other than the one whose signature or the signature of whose proper officers and the seal is or are attached below, has any interest in this Tender or in the Contract proposed to be taken.

I/We, further declare that this Tender is made without any connection, knowledge, comparison of figures or arrangement with any other company, firm or person making Tender for the same work and is in all respects fair and without collusion or fraud.

I/Ne, further declare that we have carefully examined the locality and site of the proposed works, as well as all the Plans, Drawings, Profiles, Specifications, Form of Tender, Information for Tenderers, General Conditions, Agreement and Bond relating thereto, prepared, submitted and rendered available by the Commissioner, Parks and Recreation, and the Purchasing Agent, by and on behalf of the Corporation of the City of Brampton and hereby acknowledged, the same to be part and parcel of any Contract to be let for the work therein described or defined and do hereby Tender and offer to enter into a Contract to do all of the work and to provide all of the labour and to provide, furnish, deliver, place, and erect all materials mentioned and described or implied therein including in every case freight, duty, exchange, and sales tax in effect on the date of acceptance of the Tender, and all other charges, on the terms and conditions and under the provisions therein set forth.

I/We, further declare that, if the tender is accepted by the City, we will execute whatever additional work may be required at the Unit Prices shown herein, in strict conformity and in all respects with the requirements of this tender, specifications, general conditions, and form of agreement hereto annexed or to be annexed hereto.

I/We, also agree that deductions from the said contract, if any shall be made at the unit prices shown in the Schedule of Quantities and Unit Prices as herein contained.

I/We, agree that this offer is to continue open to acceptance until the formal contract is executed by the successful Tenderer for the said work or until sixty (60) days after the Tender Closing date whichever first occurs, and that the City may at any time within that period and without notice accept this Tender whether any other Tender had been previously accepted or not.

I/We, agree that if we withdraw this Tender after closing and before the Council of the said City shall have considered the Tenders and awarded the Contract in respect thereof, during the time that this Tender is open to acceptance as set out above in this Tender Form the amount of the deposit accompanying this Tender shall be forfeited to the City.

I/We, agree that the awarding of the Contract based on this Tender by the Council for the said City shall be an acceptance of this Tender.

If this Tender is accepted I/We agree to furnish the required Performance Deposit, Insurance Certificate and Workmen's Compensation Board Letter and properly sign the Contract Documents in quadruplicate within ten (10) days after being notified so to do. In the event of default or failure on our part so to do. I/We agree that the Corporation of the City of Brampton shall be at Liberty to retain the money deposited by ME/US to the use of the City and to accept the next lowest or any Tender or to advertise for new Tenders, or to carry out the works in any other way they deem best and I/We also agree to pay to the said City the difference between this Tender and any greater sum which the City may expend or incur by reasons of such default or failure, or by reason of such acting, as aforesaid, on their part, including the cost of any advertisement for new Tenders; and to indemnify and save harmless the said City and their Officers from all loss, damage, cost, charges, and expense which they may suffer or be put to by reason of any such default or failure on MY/OUR part.

Dated at Rounder this fith day of ficach. 19 γ_{i}^{z} .

SIGNATURE OF WITNESS

1. 5 Volument Patrickent

SIGNATURE AND SEAL OF TENDERER.

THIS FORM SHALL REMAIN ATTACHED TO THIS TENDER

CONTRACTOR'S EXPERIENCE RECORD

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The Contractor is required to supply the following information concerning work done over the last two year period that is similar to the type of work to be done under this Contract:

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COMPLETION				
DATE				-
OF	NAME	NAME OF		
CONTRACT	OF OWNER	ENGINEER	DESCRIPTION	DOLLAR AMOUNT
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CONTRACT NO. 79-06

BID SHEET

APPENDIX "A"

ROADSIDES

Approximately 303 acres of weed spraying of roadsides all in accordance with the aforementioned specifications which form part of this contract.

1 - 4 acres	\$ 40.00	per aci
5 - 9 acres	\$ 10 33	per acr
10 - 14 acres	\$ 10 32	per ac:
15 - 19 acres	\$ 10.00	per acr
20 or more acres	\$ 10.00	per acr

APPENDIX "B"

PARKLANDS AND BOULEVARDS

Weed spraying of parkland and boulevards per areas listed in the attached Appendix "B".

TOTAL LUMP SUM PRICE	
Words and Figures	
Words and Figures	and_
eight wire dallers and fight eight an	the.

Note:-Bidders must bid on a complete section or on all of the work. Partial bids on a section will not be considered.

NAME	: OF FIRM OR PERSON	QUOTING Une Falming Enterning	67
	SIGNED BY	(3. Palmer (Palmilli at)	
	ADDRESS	50 Contraction Creation	
	TELEPHONE NO.	457 - 5714	

Number of parks in first column refers to the map of the Official Parks Plan.

* Indicates locations where water is available.

Park	rk # Name Street		Street	Acres to be Sprayed	Price per Location	
1		Northwood	Parkway	3.30	\$ 7425	
2	*	Beatty Fleming	McLaughlin Rd.	1.82	\$ 46 15	
3 `		McLaughlin Rd. Park	McLaughlin Rd.	21.16	\$476.1-	
5		Nancy McCredie	Nancy McCredie	1.07	\$ 24.6"	
6	*	English Street Park	English St.	1.90	\$ 1210	
7		Mill Street Park	Mill St. N.	.60	\$ 1350	
3		Unnamed	English St.	.46	\$ 1635	
12		Unnamed	Williams Parkway	6.22	\$ 13495	
15	*	Cenotaph Park	Main St. S.	1.30	\$ 29.25	
16	*	Gage Park	Main St. S.	4.10	\$ 9220	
17	*	Woodview Park	Corby Cres.	11.55	\$ 259.27	
18	*	Harold St. Park	Harold St.	1.35	\$ 30 37	
20		Brampton Fair Grounds	McMurchy St.	18.4	\$414.20	
21		Elgin Rd. N.	Main Street	19.84	\$ 11C+C	
31		Newton Road Park	Newton Rd.	3.33	\$ 7+92	
32		Kingswood	Kingswood Rd.	5.09	\$ 117 52	
33		Centre St.	Vodden Rd.	3.49	\$ 78:52	
34 .		Salisbury Circle	Salisbury Circle	1.30	\$ 2925	
43		Centennial Park	Mary St_{-} + Centre St.	44.90	\$ 1010 25	
44		Meadowland	Brampton Mall	11.42	\$ 25(95	
45	*	Peel Village	Terra Cotta Dr.	14.53	\$ 32693	
51		Bruce Beer	Bruce Beer Dr.	3.26	\$ 7335	
53		Charters Road	Charters Rd.	.97	\$ 21:3	
54		Ivy Bridge	Ivy Bridge Rd.	1.16	\$ 26.10	
55	?:	Madoc	Hansen_Rd.	3.95	\$ 80.97	
56		Seaborn	Seaborn Dr.	4.11	\$ 92.47	
60 60		Major Oaks	Williams Parkway	13.78	\$ 316 05	
69		Hazlewood N.	Hazlewood Dr.	2.50	\$ 5625	
70		Hazlewood S. Hanover	Hazlewood Dr. Hanover Dr.	3.98 2.06	\$ 2955	
85		Hanover Howden	Howden Dr.	18.00	2 76.35 E 110 17 2	
86		Hilldale South	Central Park Dr.	6.41	\$ 405.00	
88 90		Crescent Hill	Dixie Rd.	14.30	\$ 144 22 \$ 321 75	
91	*	Chinguacousy Park	Bramalea Rd.	75.00		
91 99		Alona Park	Algonquin Rd.	11.43	\$ 25718	
100		Addington	Algonquin Rd.	3.20	\$ <u>1260</u>	
101		Balnoral	Balmoral	8.41	\$ 18923	
102		Ernest Majury	Balmoral	3.18	the second se	
102		Belmont	Birchbank	2.0	\$ <u>1155</u> \$ <u>15.00</u>	
104		Birchbank	Birchbank	3.70	\$	
104	*	Clark	Clark Blvd.	24.50	\$.551.25	
105		Cavendish	Cavendish	1.02		
105		Crawley	Crewley	14.24	\$ <u>7295</u> \$ 320 40	
103		Knightsbridge	Knightsbridge	2.36	\$ <u>32 40</u> \$ <u>53.10</u>	
103		Regency Park	Kensington	. 6.51		
109 110		Regional Police Station	Kensington	3.45	"and a strengthered and the	
110		Vegrouar rotice practon	NEUSTUELOU	3.43	\$ 77.63	

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•	APPEUDIX "B"		"B" PARKLAND AND E	PARKLAND AND BOULEVARDS		
•	Park (;	Name	Street	Acres to be Sprayed	Price per Location
	112		Glenforest N.	Glenforest	1.52	\$ 34 Zi
	113		Glenforest S.	Clenforest	6.54	\$14715
	114		Goldcrest	Central Park Dr.	7.73	\$17341
	115		Greenmount S.	Greenmount	2.65	\$ 5980
	116		Greenmount N.	Greenmount	5.52	\$ 124.20
	117		Greenbriar S.	Central Park Dr.	16.83	\$ 375,61
	118		Greenbriar N.	Greenbriar Rd.	1.51	\$ 33.48
	119		Jayfield	Williams Parkway	5.49	\$ 12.353
	120		Jordan	Jordan	8.53	\$ 191.92
	121		Jefferson	Jefferson	16.65	\$ 374.55
	125		Dalton	Bramalea Rd.	3.93	\$ 33 /3
	126	*	Dearborne	Dearborne Rd.	10.32	\$ 232-20
	127		Davenport	Balmoral & Dearborne	1.26	\$ 26.35
	128		Dorchester	Dorchester	4.75	\$ 106 87
	129		Dorset	Dorchester	3.27	\$ 73.56
	130		Dunblaine	Dorchester	1.73	\$ 28.92
	131	*	Durham	Bramalea Rd.	2.92	\$ 2570
	132	*	Earnscliffe	Eastborne	32.95	\$ 7+1 37
	133	*	Eastborne	Balmoral	19.79	\$ 4453
	134		Edgebrook	Belmoral	2.77	\$ 62.3
	135	*	Fallingdale	Clark	11.52	\$ 2592
	135	*	Fallingdale Parkette	Bramalea Rd.	1.94	\$ 13.6
	137		Folkstone	Folkstone	2.57	\$ 57.8
	139		All of Heart Lake		.16	\$ 3.60
	140		North of Sandalwood		.24	\$ 5.40
	141		North of Sandalwood		.46	\$ 10 3-
	142		North of Sandalwood		.26	\$.5 83
	143		North of Sandalwood		.43	\$ 965
	145		North of Sandalwood		.25	\$ 5.6 3
	149		Valleyland north and south of	of Sandalwood	20.00	\$ 45000
	173		Wildfield	St. Johns Road	1.0	\$ 62.5
	192		Eldorado Park	3rd. Line west	20.00	\$ 4500
			Williams Parkway Complex	Williams Parkway	12.00	\$ 270 0

638.12

Price per Location Acres Location Bra-alea 4.30 \$ Dearbourne 96 7. Behind Deefield & Drury Cr. 50' width 1.92 Ş 13.20 .65 Torbran south of Balmoral Ş 14.63 Torbram north of Clark to Highway #7 3.65 \$ 3213 Torbram north of #7 to Williams Pkwy. 5.2 Ŝ 11700 Torbram north of Williams Parkway to \$ 1.6 36.00 North Park Dr. 4.58 Balmoral from Torbram to Bramalea Rd. S 103.05 Eastborne from Balmoral to Clark 1.46 \$ 32.85 Clark from Torbram to Bramalea Rd. 7.79 \$ 175-27 2.46 Flark from Bramalea Rd. to Dixie \$ 53.35 clark from Dixie to Terese 1.08 Ş 24.30 Folkstone Blvd. from Clark to #7 .58 \$ 13 C

BOULEVARDS AND BUFFERS

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• " APPENDIX "B"

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PARKLAND AND BOULEVARDS

Location Acres Institut Diraction Excaples continued 6.55 \$				Price per
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Highway #10 9.34 \$	-	2.00		75.00
	-			
••• continued	Highway #10	9.34		
			continue	G

APPENDIX "B"

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PARKLAND AND BOULEVARDS

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Location	Acres		Price per Location	-
Brampton continued			·····	
Williams Parkway from #10 to C.P. Rail	3.32		\$	7120
Coman Cr. from Williams Parkway to			•	
Villiams Parkway	.33		\$	7.43
Centre St. from Williams Parkway to			* •	
Vodden	.12		Ş	2.70
Centre St. from Vodden to Woodward	.47		S	10 52
Scott St Church to Woodward	• 07		\$	1 5 7 -
Scott St Church to Nelson	6.42		S	
Church St. from Centre to Beech St.	.28		¢	14745
Beech St. from Church to Queen St.	.17		¢	<u> </u>
Nelson from Centre to Silson	.07		¢	<u> </u>
Naple St. from Scott to end of Maple	.11		2	1 3.4
•			\$	
. Mary St. from Guest to Wellington	.40		₽	<u> </u>
Centre St. from C.N. tracks to			~	
Hazelmere	.17		\$	5.83
Clarence St Beatty to John Beck	.38		\$	5.25
Kennedy Rd. from Steeles to 10 sideroad	.80		ş	1800
Main St. N Vodden to Williams Pkwy.	.35		\$	2.53
Main St. S Queen St. to Steeles	2.13		\$	4792
Wellington St Main to George	.17		\$	3.3.3
George St. north of Wellington St.	.05		\$	1.13
Elliott St Fleming to Fraser	.34		\$	765
Mill St. from Ambleside to Charolais	1.03		\$	23.18
Charolais from Main St. to McMurchy	1.04	•• •	\$	2.3.70
McMurchy from Steeles to Kingsview	2.16	-	\$	4BEC
Eartley Bull from Main to end of Park-				
land	.28		\$	630
Elgin Drive	.53		\$	1193
Harold St. from Stanley to Fletchers Dr.	.32		\$	7.70
Rosedale from Pease Ave. to C.P. tracks	.17		S	2.83
McLaughlin Rd. from C.N. tracks to			* • •••••••••••••••••••••••••••••••••••	
Dennison	.58		\$	1305
Villages of Heart Lake			*·····	
Sandalwood from Kennedy Rd. to				
Conestoga	1.64		\$	3690
Plus Island	1.01		\$	22.77
Sandalwood from Conestoga to bridge			T	1.2.11.
on Sandalwood	1.48		\$	23.30
Conestoga from Sandalwood to portable	.28		\$	6.76
Conestoga from Sandalwood to Kennedy	2.93		\$	6592
Plus Island	.84			18 90
	2.00		\$	the second s
Kennedy Road			\$	4500
Sandalwood from Kennedy Rd. East	13.58		\$	305.78
Kennedy Rd. from Sandalwood south	1.33		\$	57.92

187.95

TOTAL

826.07 acres