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Procurement Services Information Report 2025 and 2026 Emergency Purchases

Information Report

Report Number: INFO-2026-27

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In accordance with the Procedure By-law, any member of Council may make a request to the Town Clerk that this Report be placed on an upcoming Committee of the Whole agenda for discussion.

Purpose

The purpose of this report is to update Members of Council on matters carried out by staff in accordance Procurement By-law 2014-27 (the "**Procurement Bylaw**") for emergency purchases over $100,000 in 2025 and 2026.

Background

In accordance with Section 17 of the Procurement By-law, the Manager, Procurement Services prepares a semi-annual Information Report to Council with the following information:

i. All goods, service(s) or construction awarded over $250,000.00 in accordance with Schedule "D", Table 2 of the Procurement By-Law.
ii. All emergency purchases exceeding $50,000.00 awarded in accordance with Schedule "D", Table 3 of the Procurement By-Law; and
iii. All Single and Sole Source purchases awarded in accordance with Schedule "D", Table 5 of the Procurement By-Law.

The most recent semi-annual Information Report was delivered to Council on July 22, 2026.

In addition, Section 13.4 and Schedule D, Table 3 of the Procurement By-law, require that where an emergency purchase exceeds $100,000, an additional information report to Council be prepared to explain the actions taken and the reason the purchase was considered an emergency.

Discussion

This report provides Council with information on two emergency purchases over $100,000 which took place in 2025, and two emergency purchases over $100,000 which took place in 2026.

1. **EA-2025-296 - Boulevard Maintenance and Repair Services**
   Aqua Tech Solutions Inc. was engaged in October 2025 to complete boulevard and sidewalk repairs, in the amount of $989,835.00.

   The original work was competitively procured; however, the vendor subsequently declared bankruptcy. Due to the timing of the bankruptcy and the need to complete the remaining concrete repairs before year-end, there was insufficient time to conduct a new competitive procurement process. To avoid potential liability associated with incomplete or unsafe sidewalk and boulevard conditions, staff utilized the emergency provisions of the Town's Procurement By-law to secure a replacement contractor that could complete the work within the necessary timelines.

   Procurement, Legal Services, and the Utilities Division are actively working with the Surety to recover the cost difference between the original contractor and Aqua Tech Solutions Inc.

   This action was taken in accordance with Procurement By-law, Section 13.4 (iv), which permits emergency procurement where:
   - the security of the Town's interests is at risk, immediate delivery of goods, services, or construction is required, and time does not permit a competitive bid process.

2. **EA-2025-306 - Emergency Purchase for the repair of a headwall on Patterson Street**
   Sierra Excavating Enterprises Inc. was engaged in November 2025 to complete emergency headwall repairs in the amount of $212,327.71.

   The required work involved the remediation of a structurally failed concrete headwall and associated stormwater infrastructure along Patterson Street in Newmarket. The headwall functions as the outlet for a 1,500mm storm sewer system and had experienced significant deterioration, including collapsed wing walls, cracked concrete, and erosion undermining the foundation. This condition presented an immediate risk to the integrity of the storm sewer system, the adjacent roadway, and nearby private property.

This action was taken in accordance with the Procurement By-law, Section 13.4 (iii) and (iv), which permits emergency procurement where:

- the welfare of persons or of public property is at risk, and
- the security of the Owner's interests and circumstances requiring the immediate delivery of goods, services, or construction where time does not permit competitive bids.

3. EA-2026-131 Emergency Work for Gorham Street Resurfacing

IPAC Paving Limited was engaged in August 2026 to complete emergency resurfacing work on Gorham Street to in the amount of $233,391.48.

The original work was competitively procured however the awarded Vendor breached the contract through no fault of the Town.

Given that the resurfacing work was urgent, there was not sufficient time to initiate another competitive procurement. Engineering Services instead initiated an emergency quote process and obtained three (3) competitive quotes. IPAC Paving Limited submitted the lowest bid and was awarded the work accordingly.

This action was taken in accordance with Procurement Bylaw, Section 13.4 (iii) and (iv), which permits emergency procurement where:

- the welfare of persons or of public property is at risk, and
- the security of the Owner's interests and the occurrence requires the immediate delivery for goods, service(s) or construction and time does not permit for competitive Bids.

4. EA-2026-147 Emergency work for Sandford Paving

IPAC Paving Limited was also engaged in August 2026 to complete emergency resurfacing work on Sandford Street in the amount of $499,999.99.

The original work was competitively procured and awarded to the same Vendor mentioned immediately above for the Emergency Work on Gorham Street. As noted above, that Vendor breached the contract through no fault of the Town.

Given that the resurfacing work was urgent, there was not sufficient time to initiate another competitive procurement. Engineering Services instead initiated an emergency quote process and obtained four (4) competitive quotes. IPAC Paving Limited submitted the lowest bid and was awarded the work accordingly.

This action was taken in accordance with Procurement Bylaw, Section 13.4 (iii) and (iv), which permits emergency procurement where;

- the welfare of persons or of public property is at risk, and
- the security of the Owner's interests and the occurrence requires the immediate delivery for goods, service(s) or construction and time does not permit for competitive Bids.

Consultation

Not required.

Conclusion

This report fulfills the reporting requirements set out in Section 13.4 of the Procurement Bylaw for the 2025 and 2026 time-period.

Council Priority Association

This report aligns with the following Council Priority: Community and Economic Vibrancy

Human Resource Considerations

None.

Budget Impact

None.

Attachments

None.

Approval for Distribution

Karen Reynar, Director, Legal & Procurement Services
Esther Armchuk, Commissioner, Corporate Services

Report Contact

For more information on this report, contact info@newmarket.ca.