

# Council Information Memo

**To:** Members of Council

**From:** Frank Loconte, Manager of Parks Capital Planning

**CC:** Jane Clohecy – CAO, Nancy Sully, Commissioner – Corporate Services and Treasurer, Paul Damaso, Commissioner – Community Services, Chris Mark, Director – Parks and Open Space, Leanne Dacosta, Manager – Purchasing.

**Date:** August 20, 2024

**Subject:** Planning and Development Meeting Response

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## Comments

Dear Members of Council,

At the July 8 Planning and Development Council Meeting Councillor O'Meara requested additional information about the procurement of contracting services for parkland development within growth areas and as part of a draft plan of subdivision application. As such, Parks and Open Space and the Purchasing Department offers the following information:

The term "lowest compliant bidder" refers to the company or individual who submits the lowest bid for a project or contract while meeting all the required specifications, standards, and regulations. In government contracting and some private sector bidding processes, the lowest compliant bidder of a Request of Tender (RFT) is typically awarded the contract, if they meet all the necessary criteria and are considered capable of fulfilling the requirements. This process is aimed at ensuring fair competition and cost-effectiveness in procurement processes.

As a side note, here is a brief description of the Town's Request for Tender vs. Request for Proposal:

- Request for Tenders (RFT): A request for tender is typically issued to secure competitive bids for standard construction services. In an RFT, the Town

specifies the required scope of work, including quantity and quality requirements. The primary evaluation criterion is usually the lowest cost bid that meets the technical specifications.

- Request for Proposals (RFP): Typically, a two-envelope process, is issued when a procurement need is identified, but the specific approach to achieving it remains uncertain. Suppliers can propose solutions or delivery methods to achieve the desired outcome. The evaluation criteria for best value may extend beyond price factors. RFPs allow for negotiations with suppliers on various contract terms, including technical specifications, commercial terms, and prices, following the outlined process.

Councillor O'Meara also requested clarification on the type of workmanship and materials that are secured in the construction of parks being built on behalf of the Town, as such we offer the following information:

The Town's Landscape Architects are responsible for ensuring parkland is developed in compliance with municipal policies, by-laws, and standards. Town staff engage in every aspect of the planning, design and construction of all parks, trails, and open spaces in Oakville. This includes specifying park construction details such as site furniture, shade structures, play equipment, sports field construction, landscaping, grading and drainage requirements, and other municipal standards.

Through the Draft Plan of Subdivision process, and then entering into a subdivision agreement, developers are responsible for all matters related to the financial and construction obligations and build-out of a subdivision. This includes works to be completed on behalf of the Town that are either a developer cost (local service improvement) or a Town cost (development charge reimbursement under the development charges by-law). The Town's Landscape Architects ensure the developer performs the prescribed work according to the set financial obligations and conditions within the subdivision agreement.

As a condition of the subdivision agreement the developer will retain the services of a consulting Landscape Architect to work with Town staff in the development of parks and open space plans, drawings, cost estimates and construction documentation. Once the construction documents are finalized with Town staff the developer will submit all calls for tender and award a construction contract.

When constructing begins, Town staff attend regular construction meetings, review quality of workmanship, review and approve change orders (if needed), and identify deficiencies for repair or replacement. It is important to note, the financial liability and risk is with the developer. Town staff will not approve requests for reimbursement until all work is completed to the satisfaction of the Town.

Should there be any other questions about parkland development please contact the Parks and Open Space Department.

With regards,

Frank Loconte, OALA, CSLA, ISA  
Manager – Parks Capital Planning & Management  
Parks and Open Space