



The Municipal Corporation of the

Town of Fort Erie

BY-LAW NO. 187-2003

**BEING A BY-LAW TO APPOINT A DRAINAGE ENGINEER TO
PREPARE THE ENGINEER'S REPORTS FOR THE BERTIE BAY
AND MANN DRAINS - CONTRACT NO. PW-50-2003 – K. SMART
AND ASSOCIATES LIMITED
(360402-34)**

WHEREAS Council authorized the retaining of a Drainage Engineer for the updating of the Engineer's Reports regarding the Bertie Bay Municipal Drain and the Mann Drain under Administrative Reports PW-56-2002 and PW-39-2003; and

WHEREAS Requests for Proposal were advertised and publicly called and opened Thursday, September 25, 2003 at 2:00 p.m. EST for updating the Engineer's Reports for the Improvement of the Bertie Bay Municipal Drain and the Mann Drain; and

WHEREAS at the Council-in-Committee meeting of October 6, 2003 Administrative Report No. PW-50-2003 was accepted and approved, authorizing the award of Engineering Services to K. Smart and Associates Limited, of Kitchener, Ontario, to update the Engineer's Report for the Bertie Bay Municipal Drain under the *Drainage Act*, RSO 1990, and to prepare the Tender Documents required for drain maintenance in the amount of \$21,517.70 including G.S.T.; and

WHEREAS at the Council-in-Committee meeting of October 6, 2003 Administrative Report No. PW-50-2003 was accepted and approved, authorizing the award of Engineering Services to K. Smart and Associates Limited, of Kitchener, Ontario, to update the Engineer's Report for the Mann Drain under the *Drainage Act*, RSO 1990, and to prepare the Tender Documents required for drain maintenance in the amount of \$19,698.70 including G.S.T.; and

WHEREAS it is deemed desirable to accept the tendered amounts totalling \$41,216.40 from K. Smart Associates Limited,

NOW THEREFORE the Municipal Council of The Corporation of the Town of Fort Erie hereby enacts as follows:

- 1) **THAT** K. Smart and Associates Limited, of Kitchener, Ontario be appointed to update the Engineer's Report for the Bertie Bay Municipal Drain in the Town of Fort Erie at the estimated cost not to exceed \$21,517.70 be and it is hereby authorized and approved.

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- 2) **THAT** K. Smart and Associates Limited, of Kitchener, Ontario be appointed to update the Engineer's Report for the Mann Drain in the Town of Fort Erie at the estimated cost not to exceed \$19,698.70 be and it is hereby authorized and approved.
- 3) **THAT** funding for this project be derived from Account No. 834.03MUDR in the amount of \$41,216.40.
- 4) **THAT** the Mayor and Clerk be and they are hereby authorized and directed to execute the Agreement annexed hereto as Schedule "A" to this By-law and to affix the corporate seal thereto.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 14TH DAY OF OCTOBER, 2003.

MAYOR

CLERK

I, the Clerk, Carolyn J. Kett, of The Corporation of the Town of Fort Erie hereby certify the foregoing to be a true certified copy of By-law No. 187-2003 of the said Town. Given under my hand and the seal of the said Corporation this _____ day of _____, 2003.

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