

REPORT
FUNCTIONAL REVIEW MUNICIPAL SERVICES
ONTARIO REGION
Sept. 29 - Oct. 1, 1982

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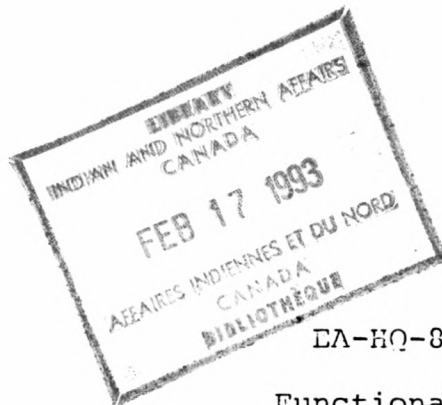
Indian and Northern
Affairs Canada

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Technical Services
and Contracts

Services techniques
et marchés

REPORT RAPPORT



EA-HQ-82-570

Functional Review
Municipal Services
Ontario Region
Sept. 29 - Oct. 1, 1982

MUNICIPAL SERVICES FUNCTIONAL REVIEW

ONTARIO REGION

SEPTEMBER 29 - OCTOBER 1

1982

1. Purpose

The purpose of this review was, to:

- examine the applicability and timeliness of DRM10-7 manuals as they relate to municipal services;
- review the E & A project planning process in the implementation of water and waste water projects;
- evaluate O & M practices and procedures for related facilities;
- evaluate whether or not the levels of services and quality of finished product are compatible with client requirements;
- review training requirements.

2. Scope

The scope of the review involved a review of selected files, and interviews with Regional E&A staff, as per the terms of reference (Appendix 1)

Discussions generally followed the checklist (Appendix 2) which was previously distributed to the region. Highlights of the checklist are also included in this appendix. The opportunity was also taken to discuss technical matters of special concern.

3. Participants

Those involved in discussions were:

M. Dewasha, Director, Engineering and Architecture

W.H. Potts, Head, Infrastructure Services

J. Kilpatrick, Pollution Control Engineer

R. Taylor, Project Manager

K. Hawkins, Head Construction and Maintenance

H. Fjoser, Construction and Maintenance Technologist

R. Holden, Head, Water Supply and Pollution Control (Ottawa)

Findings & Observations

Action by:

1. Finding

During the course of the review it became apparent that only the Head, Infrastructure Services had reviewed the terms of reference and checklist. Because the remaining participants were not aware of the contents of the terms of reference and checklist they were not as well prepared for the review as they might have been.

Recommendation

It is recommended that in future functional reviews the E & A director should ensure that identified participants are apprised of the terms of reference and the checklist.

Region

Findings & Observations

Action by:

2. Finding

The E & A Director advises that 90% of his projects are categorized as minor and comprise two-thirds of the total budget. Most of the problems encountered are with minor projects although headquarters places emphasis on major projects during various types of reviews. The E & A Director feels that equal attention should be given to minor projects during reviews.

Recommendation

It is recommended that future functional reviews include a combined Region/H.Q. review of minor projects in a district.

TS&C/
Region

3. Finding

In the expediting of consultant services contracts for water and sewer projects, the present requirement of limiting sole source contracts to those under \$10,000.00 causes project delays. Consultants are not interested in submitting competitive proposals for small projects and this is reflected in the quality of their proposals. Region also has problems in obtaining proposals at this limiting amount.

Recommendation

It is recommended that region obtain proposals where practical or provide justification as provided for in Mr. Fournier's directive of June 15, 1982 (Appendix 6). For clarification of any aspects of this directive e.g. sole source justification, advice should be sought from the Director of Contracts.

TS&C/
Region

Findings & Observations

Action by:

4. Finding

At the present time headquarters only has standard drawings and specifications for pre-cast and cast-in-place concrete manholes. As the region implements many projects in the north where construction is difficult, transportation costs are high, and concrete aggregates are sparse, they would like to see more use made of alternate manhole materials.

The materials the region has in mind are wood stave, polyethylene and a ribbed manhole of plastic construction as produced by UNX. The region feels that usage of these alternate materials could cut manhole costs by 1/2 to 1/3.

Recommendation

It is recommended that Municipal Services Division as part of its 1983/84 work undertake a study of alternative manhole types for use in northern applications.

Municipal
Services
Division

5. Finding

Not all regional staff involved in sewage and water projects are aware of the contents of existing and draft DRM10-7 manuals relating to water supply, sewage treatment and solid waste, although they acknowledge receipt of the master index listing which is forwarded with manual

Findings & Observations

Action by:

revisions. Copies of draft manuals were made available at the Municipal Services Seminar in November 1981.

Recommendation

It is recommended that those project managers/officers responsible for water supply, sewage treatment and solid waste projects in the region become familiar with the contents of final and draft documents relating to these technical areas.

Region

6. Finding

The region does not possess copies of AWWA and WPCF design and construction manuals which are considered essential source documents and as supplements to relative DRM10-7 manuals for those involved with pollution control and water supply projects.

Recommendation

It is recommended that region acquire these essential publications.

Municipal

It is further recommended that Municipal Services Division forward the names of the publications and the addresses of AWWA and WPCF to the region for their action.

Services

Division

Region

7. Finding

From discussions with regional staff it does not appear that copies of

Findings & Observations

Action by:

standards, guidelines, and policies relating to water supply and pollution control have been provided to P.W.C. for reference purposes where they have implemented projects on our behalf.

Recommendation

In order that D.I.A.N.D.'s technical requirements are satisfied and that technical continuity is maintained nationally, the region should ensure that future project briefs make reference to relevant DRM 10-7 documents and that this reference material be made available as required and that the project managers monitor the designs to ensure that D.I.A.N.D.'s requirements are respected.

Region

8. Finding

The region presently uses M.O.E. courses and facilities in the training of operators. While they are aware that headquarters is developing courses they would like more information as to course contents so that they can determine applicability for their region and after review the Head, Construction and Maintenance may wish to have an overview of these courses presented to him and his staff.

Recommendation

The headquarters training co-ordinator advises that a report has been issued in December detailing all courses ready for presentation and

TS&C
Training

Findings & Observations

Action by:

under development for band and field staff training. It is recommended that the region, after reviewing this material for water and sewage, identify those courses that they would like presented in an overview format.

Co-ordinator/
Region

9. Finding

The construction cost manual DRM10-7/26 does not provide accurate enough estimates at the "C" level for water and sewer projects throughout much of Ontario. This is supported by historical evidence over the past three years and bids recently received. This observation was also raised during the Alberta municipal services functional review of November 1981.

Recommendation

It is recommended that:

- headquarters review this matter with other regions to obtain their comments so that realistic changes can be made to the manual;
- the region forward information on recent unit prices received in the form of tender abstracts for water and sewer projects;
- headquarters take action to put in place a construction cost feedback system that will permit an annual updating of the construction cost manual based on recent costs.

TS&C
Co-ordination
Services
Region
TS&C
Co-ordination
Services

Findings & Observations

Action by:

10. Finding

In some instances, Regional E & A has apparently experienced difficulty in including meaningful technical terms and conditions in contribution arrangements. This difficulty according to the Region, relates to the lack of requirements for technical terms and conditions as spelled out in the Minister's telex of July 7, 1980. A copy of this telex is attached as appendix 3. The region appears to be unaware this matter is resolved.

Recommendation

It is recommended that E & A staff refer to the Director General's of T.S. & C. correspondence of June 11, 1982 (attached with appendix 3) to the Director of E & A Ontario Region on this subject which provides clear direction.

Region
E&A

11. Finding

P.W.C. periodically submit estimates which are of little use to regional E & A in the preparation of T.B. submissions. Attached as appendix 4 is a copy of a letter from P.W.C. for a class "B" estimate for Wikwemikong Sewage Treatment Plant with no breakdown provided.

Recommendation

It is recommended that region state in their project brief to P.W.C. the level of cost detail required for class "B" estimates and that estimates

Region
E&A

Findings & Observations

Action by:

not be accepted which do not provide the detail requested.

12. Project File Review

After discussion with the E & A director and the head of Infrastructure Services it was agreed that a file review would be conducted of the following projects.

- (i) St. Regis Water Filtration Plant
 - (ii) Poplar Hill School sewage
 - (iii) Whitefish Lake water system
- (i) St. Regis Water Filtration Plant - Vote 15.

Finding

Design and construction of this project was done under the auspices of the band with technical input from regional E & A. It was completed in the fall of 1981 behind schedule. However, this delay was occasioned by the contractor being unable to obtain certain equipment in the specified delivery time.

One major problem that arose (which is similar to a few isolated cases in Alberta) is the bands refusal to pay all outstanding consultant fees. Copies of correspondence pertinent to this are attached as appendix 5. As the band contracted for these services and payment of such is therefore their responsibility, it is uncertain what long term effect this will have within the engineering community when the band contracts for further consulting services. While

Findings & Observations

Action by:

this may be only an isolated case in the Ontario Region, should it become more widespread, other Bands may find themselves in positions of having to provide front end retainers to more extreme cases of lack of interest by well qualified consulting firms.

Recommendation

It is recommended that Senior Advisor, Technical Policy correspond with the Director-General band Housing and Support, and the deputy Comptroller, Financial Management Branch to determine if a particular solution is possible to resolve this problem.

TS&C
Senior Advisor
Technical Polic

(ii) Poplar Hill School Sewage.

Finding

A total review of this project was not possible due to the sparseness of the information on file, although the design brief was available and reviewed, Region advises that a more complete file exists at the Sioux Lookout District Office.

From the design criteria brief it should be pointed out that region/district should closely examine their design criteria. The design criteria states that the project should have a 20 year design period satisfying effluent quality standards of 15 mg/l for B.O.D.₅ and 25 mg/l for suspended solids. These requirements are unrealistic as the design life should for a 10 year life with effluent values of 20 mg/l B.O.D.₅ and suspended solids of 25 mg/l.

Region/
District

Findings and Observations

Action by:

Recommendation

It is recommended that the region review design criteria of DRM 10-7/68 in conjunction with M.O.E. requirements.

Region

(iii) Whitefish Lake - files were not available.

Finding

Excerpts from the files in form of correspondence were made available however connecting correspondence was not available and therefore no conclusion could be drawn.

Recommendation

It is recommended that for file reviews of projects, the projects should be identified prior to the regional visit and the files available.

Region

It is recommended that proper documentation be maintained on all project files.

Region

APPENDIX 1

MUNICIPAL SERVICES FUNCTIONAL REVIEW

ONTARIO REGION/DINA

TERMS OF REFERENCE

1.0 Purpose

The purpose of the municipal services functional review is:

- a. To review the E&A project planning processes with respect to the standards, guidelines, levels of service and operation and maintenance (O&M) provided for in proposed water and wastewater facilities and their compliance to accepted standards, DINA policies and DRM's;
- b. To determine the compatibility with client requirements of the types, and service levels of water and wastewater facilities installed on Indian Reserves in the region;
- c. To evaluate O&M procedures and practices in the region as they relate to water and wastewater facilities;
- d. To obtain comments and observations on DRM 10-7 documents developed to date relating to municipal services.

2.0 Scope

- a. review to be conducted at regional office and at a site(s) to be determined;
- b. selected project files will be reviewed;
- c. interviews will be conducted with Regional E&A Director, his technical staff and possibly program groups;
- d. Regional E&A Director and appropriate staff will be briefed on the review plan at the beginning of the review and debriefed following the review on observations and potential recommendations;
- e. Summary report to be prepared and forwarded to region.

3.0 Review Participants

- a) Headquarters Technical Services and Contracts Branch

The review will be conducted by J. Benner and R. Holden of the Municipal Services Division.

APPENDIX 2

CHECKLIST HIGHLIGHTS

The following is a list of highlights from the checklist. It should be remembered that one of the Chief purposes of the checklist is to promote discussion. Many of the answers are of interest but are not significant to the extent that a "Finding" and "recommendation" is required.

QUESTION (3) IS THE REGIONAL E&A STAFF INVOLVED IN THE PHYSICAL PLANNING PROCESS? TO WHAT EXTENT IS THE BAND INVOLVED?

E&A is regularly requested to provide input into the physical planning process. When it becomes apparent that planning is going to result in project identification there is continuous and ongoing involvement with the band. From discussions with regional E&A and program, E&A have established a positive constructive working relationship with the bands and the program.

QUESTION (7) ARE THE WASTEWATER EFFLUENT QUALITY STANDARDS GIVEN IN DRM 10-7/68.3(a) USED AS TREATMENT OBJECTIVES? IF NOT, WHAT STANDARDS ARE USED AND WHY?

M.O.E. standards are used in place of DRM 10-7/68.3(a) as consultants are familiar with them and since the region uses M.O.E. in the approval process this expedites the process. Effluent quality objectives of neither DRM 10-7/68.3 nor M.O.E. are used as basis of design but only that design criteria will satisfy M.O.E. requirements. Since the final product meets stated objectives we see nothing wrong in this approach and urge continued use of this practice.

QUESTION (9) ARE THE LEVELS OF SERVICE PRESENTED IN DRM 10-7/67 CONSIDERED ADEQUATE AND ARE COSTS PER UNIT CONSIDERED TO BE REASONABLE?

Region feels the manual should be re-edited to provide better clarification. Region was advised that this document is going to form part of a new program document. In the meantime its use should be continued but as a guideline.

QUESTION (10) WHO IS THE APPROVAL AUTHORITY ON THE SELECTION OF LEVEL OF SERVICE TO BE PROVIDED?

E&A provides recommendations to P.M. of Band Support and to the bands based on alternatives. Before large sewer and water projects are undertaken planning is generally a pre-requisite.

It is concluded that regional E&A and band support in concert are making positive inroads in the promotion of physical planning as an effective method in the delivery of physical services.

QUESTION (11) WHAT IS THE EXTENT OF INVOLVEMENT OF OTHER GOVERNMENT DEPARTMENTS SUCH AS N.H.&W. AND E.C. DURING PLANNING AND DESIGN PHASES FOR WATER AND WASTEWATER FACILITIES? PLEASE EXPLAIN IN DETAIL.

For septic tank installations N.H.&W. are not used except in remote areas. Through agreements concluded several years ago most bands work directly with county health units and these arrangements have proven quite satisfactory. For large scale water and wastewater facilities the region deals directly with M.O.E. but E.C. is kept advised. The region will consult with N.H.&W. and E.C. during the planning phase if they deem it necessary and this has proven to be a satisfactory arrangement as they have an excellent working relationship with both of these departments.

QUESTION (28) IS REGULAR MONITORING OF WATER SUPPLY CARRIED OUT BY FEDERAL/PROVINCIAL HEALTH AUTHORITIES? BY WHOM AND WITH WHAT RESULTS? DOES THE REGION KEEP A RECORD OF THESE RESULTS AND HOW ARE THEY ACTED UPON?

Regular monitoring is done by N.H.&W. N.H.&W. deal directly with the district office who act upon N.H.&W.'s recommendations. No specific file is kept in regional office and the region is only alerted in the event of major problems.

QUESTION (30) HAVE THERE BEEN ANY COMPLAINTS RELATING TO POLLUTION? WHAT IS THEIR NATURE AND FREQUENCY?

There have only been occasional complaints from E.P.S.

QUESTION (31 RELATES TO QUESTION 30)
IS THERE A SYSTEM IN PLACE IN REGION TO ENSURE FOLLOW UP ACTION ON INSPECTION RECOMMENDATIONS?

There is no system in place at the present time nor does the need appear that there should be. E.P.S. provides report to district with a c.c. to regional E&A. District resolves problem and they are rarely of a continuous nature. If the problem is continuous and complex the region is made aware and is usually involved.

Appendix B to
Municipal Services
Functional Review

Review Checklists

To assist in the collection of data and information a checklist is presented below.

A. Facility Planning and Design of Water and Sewage Systems (W&S)

- (1) Are planning, design and construction manuals DRM10-7/67 and 68.3 available to E&A staff engaged in the arrangement of sewer and water projects. Are they used and has the region any problem in their application?
- (2) Is the region aware of the draft sections of DRM 10-7/70 and 71.
- (3) Is the regional E&A staff involved in the physical planning process? To what extent is the band involved.
- (4) How are priorities for W&S projects established?

11/08/82

- (5) Are other professionally recognized standards and guidelines such as AWWA or Canadian Drinking Water Standards or WPCF available. To what extent are they used.
- (6) What quality characteristics and standards are used to evaluate potable water sources?
- (7) Are the wastewater effluent quality standards given in DRM 10-7/68.3a used as treatment objectives? If not, what standards are used and why?
- (8) Are service levels presented in DRM 10-7/67 used for planning and design of water and sewage projects? If not, what other criteria is used and why?
- (9) Are the levels of service presented in DRM 10-7/67 considered adequate and are costs per units considered to be reasonable?
- (10) Who is approval authority on the selection of level of service to be provided?

11/08/82

- (11) What is the extent of involvement of other government departments such as National Health and Welfare and Environment Canada during planning and design phases for water and wastewater facilities? Please explain in detail.
- (12) For Vote 10 projects carried out by DPW what role does regional E&A have in terms of reference and selection.
- (13) Do consultants feasibility studies and design submissions for W&S projects consistently satisfy the required objectives? Are there problems with cost overruns?
- (14) Are all water and wastewater construction projects assigned resident supervision? What are the exceptions?
- (15) To what extent is facility O&M considered during planning and design phases of a project?
- (16) What criteria or procedures are used to evaluate O&M implications during the planning and design phases of facility?

11/08/82

- (17) Are life cycle analysis carried out for facility alternatives?
- (18) Who is responsible for preparing Technical Terms and Conditions for contribution arrangements for sewer and water projects carried out under Vote 15.
- (19) Identify the major problems associated with Water and Sewer projects carried out under Vote 15.
- (20) What are the O&M costs and does the region maintain a cost record? Is the present level satisfactory? What role does E&A have in monitoring O&M.
- (21) Do W&S system operators and maintenance personnel receive formal training on W&S facilities? If so, what courses and by whom?
- (22) How are formal technical course requirements for W&S personnel determined and how are attendees selected? €
- (23) What are the results of W&S formal training? How are these results evaluated?

11/08/82

- (24) Do these courses result in reduced O&M costs and increased effectiveness?
- (25) Are O&M manuals readily available to operating and maintenance personnel? Who prepares these O&M manuals?
- (26) Do W&S facility preventive maintenance systems exist on reserve in the Region?
- (27) If answer to (25) is yes, are these systems active?
- (28) Is regular monitoring of watersupply carried out by Federal/Provincial health authorities? By whom and with what results? Does the region keep a record of these results and how are they acted upon.
- (29) Are water/sewage processing units regularly inspected to ensure process is operating at design efficiency? By whom and with what results?
- (30) Have there been any complaints relating to pollution? What is their nature and frequency?

11/08/82

APPENDIX 3

7-6682

To: Noel V. Starblanket,
President, National Indian
Brotherhood,
2 Bank Street,
Ottawa, Ontario K1P 5N4

From: The Honourable John C. Munro,
Minister, Department of Indian
and Northern Affairs

Date No. July 1, 1980
Distribution No.

Telex Phone No. (if available) Numéro de téléphone telex (si on le sait)	PRIORITY (Check whichever is applicable) For Dispatch À transmettre	Within 1 hr. D'ici 1 h	<input checked="" type="checkbox"/> Within 3 hrs D'ici 3 h	By 8 30 A.M. Tomorrow Au plus tard à 8h30 demain ma
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PLEASE PRINT PLAINLY OR TYPE MESSAGE BELOW
PRIÈRE D'ÉCRIRE EN MOULE OU DE DACTYLOGRAPHIER LE MESSAGE DANS L'ESPACE CI-DESSOUS

CODE NO - N° DE CODE	
Originator's - Envoyeur	Addressee's - Destinataire

2Y0 751

CONTRIBUTION ARRANGEMENTS

FOLLOWING OUR APRIL 15, 1980 MEETING REGARDING TERMS AND CONDITIONS FOR FUNDING TO BANDS, I ANNOUNCED AN EXTENSION TO JULY 15, 1980 FOR FURTHER CONSULTATION TO WORK OUT MUTUALLY ACCEPTABLE FINANCIAL ARRANGEMENTS.

SINCE THAT TIME, AS YOU ARE AWARE, I HAVE MET WITH THE CHAIRMAN OF THE UNION OF BRUNSWICK INDIANS. WITH THE UNDERSTANDING THAT BANDS HAVE IN THE PAST AND WILL CONTINUE TO MEET THE INFORMATION AND ACCOUNTING REQUIREMENTS WITH A B.C.R. OR OTHER APPROPRIATE INSTRUMENT, WE REACHED AGREEMENT ON THE FOLLOWING POINTS CONCERNING CONTRIBUTION ARRANGEMENTS:

1. THE EXISTING PRACTICE OF PROVIDING AN ANNUAL AUDIT WILL CONTINUE;
2. BANDS WILL SET OUT IN THEIR EXPENDITURE PLAN THEIR BUDGET REQUIREMENTS FOR THE FISCAL YEAR BY PROGRAM: (E.G. ROADS, HOUSING, EDUCATION, ETC.);
3. BANDS MUST INDICATE THEIR CASH REQUIREMENTS AGAINST THIS EXPENDITURE PLAN ON A QUARTERLY BASIS, AND MUST INDICATE EXPENDITURES AND CASH REQUIREMENTS FOR EACH QUARTERLY ADVANCE;
4. BANDS MAY, IF THEY WISH, CONTINUE TO BE FINANCED ON A QUARTERLY (90 DAY) BASIS,

If further space is required please use a second page - Si cet espace est insuffisant, prière d'utiliser une deuxième feuille

The following information must be supplied but will not be sent with the above message.
Prévoir de fournir les renseignements suivants qui, toutefois, ne feront pas partie du message ci-dessus.

Message Prepared by Rédigé par: BRANT/	Telephone No.: Numéro de téléphone: 7-0002	Date: Date: 7-7-80	Signature of Person Authorizing Message Signature de la personne autorisant l'envoi du message
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MESSAGE FORM

TO: Noel Starblanket FROM: The Hon. John C. Munro

July 7, 1980.

CODE: 2Y0 751

WHICH IS THE MAXIMUM PERIOD OF TIME FOR CASH ADVANCE.

I TRUST THAT THIS ARRANGEMENT IS SATISFACTORY FOR BANDS TO USE. BCR'S WITH THE ABOVE CONTENTS OUTLINED WILL BE ENTIRELY SUFFICIENT AND THEREFORE THE PREVIOUSLY OUTLINED DATE OF JULY 15 IS NO LONGER OF CONSEQUENCE. THIS DOES NOT, HOWEVER, PRECLUDE THE OPTION OF BANDS NEGOTIATING A FINANCIAL ARRANGEMENT BETWEEN THEMSELVES AND THE GOVERNMENT OF CANADA TO SUIT THEIR OWN PARTICULAR NEEDS.

A large, stylized handwritten signature in black ink, likely belonging to John C. Munro, is written across the middle of the page. The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping tail that ends in a small hook.

c.c. All Regional Directors General and Regional Directors
of the N.W.T. and Yukon (Indian and Inuit Affairs)
c.c. All Federal/Provincial Associations

JUN 1 1982

OTTAWA, Ontario K1A 0H4
June 1, 1982

Mr. Nery Dawasha,
Director,
Technical Services &
Contracts Branch,
Indian and Inuit Affairs,
Ontario Region

Mr. Dawasha
A 1405-155

Functional Review
Transportation Services General Review
Ontario Region, February 9 - 11, 1982
Report EA-HQ-82-561

Attached are two copies of the above noted report prepared by Mr. D. Ewens and Mr. F. Welling from our Transportation Division.

Section 3.5 of the report states "they (Regional Engineering and Architecture) have no mandate in the development of contribution arrangements, and also there is often no inclusion of technical terms and conditions as there is no mandatory requirement for them. It is recommended that Headquarters Technical Services and Contracts Branch... provide advice on how the Region should proceed."

You will recall that this subject was discussed in some detail at our recent workshop in Quebec and copies of the relevant policy documents were provided. Three key documents which clarify this matter with respect to the E&A role are:

- 1) Memorandum D.K. Goodwin to Regional Director's General, August 19, 1981. This memorandum states in part, "the Departmental Project Officer will be totally accountable for the Recipient's compliance with the Terms and Conditions" which by necessity must require the Project Officer to be totally involved in the development of Terms and Conditions with the Band.

...2

- 2) J.D. Nicholson telex to Regional Directors General, July 15, 1980. This telex states in part, "All contribution arrangements for capital works estimated to cost \$25,000 or more shall include technical terms and conditions" and "Regional E&A units are to review all contribution arrangements which include technical terms and conditions" and "where contributions fund the funds for capital projects the Band and E&A shall agree on technical terms and conditions".
- 3) J.D. Nicholson (for R.D. Brown) to Regional Directors General, November 7, 1979. This letter states in part, "Technical terms and conditions for all contribution agreements will be included as a matter of course for all projects in excess of \$25,000."

It is believed there is no doubt that the present policy documents clearly detail the mandatory requirements for both E&A involvement in the development of the contribution agreement and the inclusion, as a matter of course, of technical terms and conditions.

Those other items which require action on the part of our Branch will be addressed and in a subsequent action status report you will be advised of the date the action will be completed. I would appreciate your comments on the action to be taken to address the items coming within your area of responsibility and in particular the following:

- program to provide adequate traffic control signing
- improvements to Regional communications for updates to the DPM publications
- assistance to the Brantford District to solve culvert wash-out problems
- advice and assistance to Bands on maintaining road expenditure accounts.

I would also like to extend my appreciation for the co-operation and assistance by you and your staff during the review visit.



F. Almeda,
Director General,
Technical Services and
Contracts Branch.

Attach.

c.c. Mr. R.J. Fournier

APPENDIX 4

Public Works
Canada
Ontario Region

Travaux publics
Canada
Région de l'Ontario

1982 July 26

Department of Indian and
Northern Affairs
55 St. Clair Ave. E.
Toronto, Ontario
M4T 2P8

ATTN: Mr. Jim Kilpatrick, P.Eng.
Project Manager

Re: Sewage Treatment Plant - Wikwemikong Indian Reserve
Your Project No. 35130
Our Project No. 041526

We wish to submit our Class "B" estimate for the above noted project as follows:

Construction	\$ 900,000
Consultant	150,000
PWC Costs, Travel, Tendering, Etc.	<u>25,000</u>
	\$ 1,075,000

The above costs are based on a contract award by March 1983 and do not include any allowance for a legal survey. It is based on a 20-year design.

Should you wish to discuss this estimate before submitting your T.B. request, please advise.

Yours truly,



K.R. Fulton, P.Eng.
Project Manager

Your file
Votre ref

In reply quote
Ref. à rappeler 4385-W48/2

For further information please contact
Pour de plus amples informations, prière de
communiquer avec

Tel: _____

APPENDIX 5

lorrain/maccabée et associés

4 3 4 6 6 INGENIEURS-CONSEILS/CONSULTING ENGINEERS

le groupe *dip*
consultants

4070 avenue Jean-Talon
Montréal, Québec H4P 1V5
tél. 05-825814 tél. (514) 731-3556

Montreal, August 17 1981.

AUG 21 08 49 '81

ST. REGIS BAND COUNCIL
P.O. Box 579
Cornwall, Ontario
K6H 5T3

C/O: Mr. Lawrence Francis, Band Administrator

RE: WATER FILTRATION PLANT
Our file : 27-1-0753
27-1-0799
Cornwall Island Road CO-103

Dear Sir:

The engineering contract for the water filtration plant has now been completed since June 5th 1981 and the major deficiencies corrected since in July 1981.

We have invoiced you for bill No 11 and No 12 on May 6th 1981 and bill No 13 on July 20th 1981.

There is still an amount outstanding on bills No 11 and No 12 and no payment has been made on bill No 13.

Could you inform of the reason for this delay and I wish to request a prompt payment of these invoices.

I also wish to draw to your attention the long delay on invoice No 1 for the work which we did for you at your request in the fall of 1980 on the Cornwall Island Road CO-103, bearing our file No 27-1-0799 and which was billed on February 6th 1981. A second invoice was sent to you on July 20th 1981 covering cost of contract documents for this job as requested by Mr. J. Castleman for tendering purposes.

We would appreciate a prompt payment of all invoices in view of the current high interest rates.

I thank you for the attention I am sure you will give this matter and remain.

Yours truly

LORRAIN/MACCABEE & ASSOCIATES
Consulting Engineers

Alex Lorrain
Alex Lorrain, Eng.

lorrain/maccabée et associés
INGÉNIEURS-CONSEILS/CONSULTING ENGINEERS

le groupe **dip**
consultants

4070 ouest, rue Jean-Talon
Montréal, Québec H4P 1V5
téléx 05-825814 tel (514) 731-3556

Montreal, October 28 1981.

Nov 3 09 09 '81

ST.REGIS BAND COUNCIL
P.O. Box 579
Cornwall, Ontario
K6H 5T3

C/O: Mr Lawrence Francis, Band Administrator

RE: WATER FILTRATION PLANT
St.Regis Village
Your contract 1-80
Our file: 27-1-0753

Dear Sir:

The water filtration plant has now been completed since June 5th 1981. The last deficiencies have been corrected by the contractor Moffatt Construction Ltd. according to their letter of the 14th October 1981 of which a copy was sent to you.

We therefore recommend full payment of the holdback this will bring the complete payment on this contract to the contractor to the amount of \$366,132.41

Hoping this to be to your satisfaction, we remain,

Yours truly.

LORRAIN/MACCABEE & ASSOCIATES
Consulting Engineers



ALEX A. LORRAIN, Eng.

AAL/ms

✓ Copy Mr. H. Fjoser, D.I.A.



Bill - Contracts

Henry info 229111

Wally Easton
Director, Band Support

K.W. Hawkins, P.Eng.
Head, Maintenance & Construction
Technical Services & Contracts Branch

SECURITY - CLASSIFICATION / DE SECURITE
OUR FILE / NOTRE REFERENCE
RA 30211 (TM)
YOUR FILE / VOTRE REFERENCE
DATE
April 23, 1982

TO
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FROM
DE

SUBJECT
OBJET

St. Regis Band - Vote 15 Administration

On April 21 a meeting was held in the Band office to discuss the payment for professional service to Alex Lourain and Associates.

In attendance:

BAND:

- Lawrence Francis - Chief
- Jerry Cooke - Band Admin.
- John Oaks - Councillor
- Vaughn Albrich - Legal Advisor Band
- Alex Lourain - Consultant
- Mel Jacobs - Peterborough
- Howard Fjoser - Region
- Ken Hawkins - Region
- Jean Benedict - Secretary

The meeting was held between 10:00 and 12:00 noon and was held to discuss a difference of some \$22,000 which the consultant felt was due for services on project 30211 and road projects CO103 and CH102.

Lourain and Associates had a contract to supervise 30211, a water intake and pumping facility which was built under contract for 366,132.41. The contract for supervision was for \$27,123.25 which was subsequently changed to \$53,023.25 by change order. A further change order was requested for \$8,850.00.

Road CO 103 was designed in 1978 and was not built due to funding restrictions. This design was again brought forward when MTC said they could provide \$55,000 towards the cost and the Department was prepared to put up \$55,000. According to minutes of a meeting on file of Alex Lourain he was asked to provide a program for work which could be done with the available \$110,000. He billed the Band \$1,313.00 for this work. The Band had meanwhile hired Greer Galloway to supervise the work. Greer Galloway told the Band that the Lourain design was incorrect and that M.T.C. would not approve the design. Lourain was able to table a set of drawings and specifications approved by Stuart Campbell of M.T.C.

Road CO102 involved some conceptual work by Lourain for which the consultant had billed \$2,417.00.

The consultant has been paid approximately \$44,000.

formal signed contract with Lourain	<u>\$53,023.25</u>
amount paid by Band	<u>44,000.00</u>
Balance	9,023.25
Change Order No. 3 not approved	8,850.00
Road charges CO103	1,313.00
CH102	<u>2,417.00</u>
	21,603.25
Interest charges on overdue accounts	<u>3,000.00</u>
Outstanding Accounts	<u><u>24,603.25</u></u>

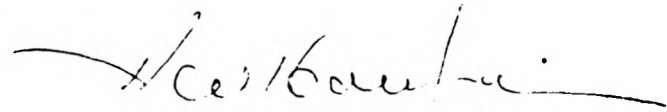
The Band was quite adamant that Lourain not receive road charges and change order number 3 costs. After considerable discussion both the Band and Alex Lourain agreed to a settlement as follows:

To complete contracted amount - \$ 9,023.25

CH103 1,313.00

CH102 2,417.00

\$12,753.24


K.W. Hawkins

APPENDIX 6

Senior Assistant Deputy Minister
Indian and Northern Affairs CanadaSous-ministre adjoint principal
Affaires indiennes et du Nord Canada

Finance and Management

Finances et Gestion

C/D-03-1982

D/C-03-1982

OTTAWA, Ontario K1A 0H4

OTTAWA (Ontario) K1A 0H4

JUN 15 1982

A-1632-1

Assistant Deputy MinistersRegional Directors (General
and Regional Directors of the
Yukon and Northwest Territories
(Indian and Inuit Affairs).Regional Directors
Northwest Territories and
Yukon Regions
(Northern Affairs)All H.Q. Directors-General
and DirectorsDirectors
Indian Minerals
(East and West)SERVICE CONTRACTS - SOLE SOURCE

A review of proposal contracts submitted for my approval raises some concerns regarding the incidence of selection on a "Sole Source" basis and particularly the repeated use of the same individuals or firms without competition.

Although sole source contracting is permitted by virtue of the Government Contracts Regulations, repeat commissioning of firms or individuals without competition is not in keeping with the spirit of the government's contracting-out policy which is to give qualified firms in the private

Sous-ministre adjointsDirecteurs généraux régionaux,
Directeurs régionaux des Territoires du
Nord-Ouest et du Yukon
(Affaires indiennes et inuit).Directeurs régionaux
Territoires du Nord-Ouest et
du Yukon
(Affaires du Nord)Tous les Directeurs généraux et
Directeurs de l'Administration centraleDirecteurs
Ressources minérales des Indiens
(Est et Ouest)MARCHES DE SERVICES - FOURNISSEUR UNIQUE

L'examen des propositions de contrats qui m'ont été soumis pour approbation me préoccupe quelque peu en ce qui a trait à l'incidence du choix d'un "fournisseur unique" et surtout en ce qui touche le recours répété aux services de mêmes personnes ou entreprises non fondé sur la concurrence.

Bien que l'octroi d'un marché à un fournisseur unique soit permis en vertu du Règlement sur les marchés de l'Etat, le recours aux mêmes entreprises ou personnes sans voie de concours, n'est pas en conformité avec la politique gouvernementale de passation des marchés visant à donner à des entreprises compétentes du secteur privé

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sector an opportunity to obtain government works on a competitive basis. A recent review disclosed that a firm had been awarded 15 contracts on a sole source basis by various Branches over a 12 month period. This is not an isolated case.

To ensure managers are above reproach, when a requirement for services from the private sector is identified, the responsible manager shall endeavour to obtain at least three proposals. When electing to go sole source the manager shall provide written justification with any request for contract when the estimate of cost exceeds \$10,000.00.

H.Q. Contract Policy and Services Directorate has prepared a summary sheet (copy attached) which accompanies each contract submitted to a signing authority, briefly outlining the contract requirements, justifications and listing of previous contracts awarded, including value. The Regional Contract Administration Units are required to develop a similar form for use in their respective regions.

I would also like to remind you of my directives relating to Advance Payments and Commencement Dates of Contracts dated January 26 and October 9, 1981 respectively. Managers involved in obtaining proposals or approving contracts shall adhere to the requirements of these directives.

la possibilité d'obtenir des travaux du gouvernement par voie de concurrence. Un récent examen a révélé que plusieurs Directions avaient octroyé à une entreprise 15 marchés selon le choix d'un fournisseur unique, au cours d'une période de 12 mois. Il ne s'agit pas là d'un cas unique.

En vue d'éviter toute critique à l'endroit des gestionnaires, à l'occasion d'une demande de services du secteur privé, le gestionnaire concerné devra essayer d'obtenir au moins trois propositions. Lorsqu'il est décidé de faire appel à un fournisseur unique, le gestionnaire devra fournir une justification écrite avec toute demande de contrat dont le coût estimatif dépasse \$10,000.00.

La Direction, Politique et Services de marchés à l'administration centrale a préparé un formulaire sommaire (copie ci-jointe) qui accompagne chaque contrat soumis à la personne autorisée à signer, énumérant brièvement les exigences du contrat, les justifications et la liste des contrats octroyés antérieurement, y compris la valeur. Il est demandé aux services régionaux de marchés d'établir un formulaire similaire en vue de son utilisation dans leurs régions respectives.

J'aimerais vous rappeler que j'ai émis des directives concernant les avances prévues aux contrats et le début des marchés datées respectivement du 26 janvier et du 9 octobre 1981. Il est demandé aux gestionnaires impliqués dans l'obtention des propositions ou l'approbation des marchés de se conformer aux exigences desdites directives.

Original Signed by
Original signé par
R. J. FOURNIER

R.J. Fournier

Each.
J.

Allen/Khiari:lm (June 11/82)
c.c.: Dirs. (Fin. & Adm.) All Regions
: Contract Administrators