

March 11, 2010

ACTION REQUIRED

To: The Board of Governors of Exhibition Place

From: Dianne Young, Chief Executive Officer

Subject: **Agreement with Bennett Equipment Services Inc.**

Summary:

This report seeks approval of the terms and conditions for an agreement to provision of various golf cars on a rental basis to Exhibition Place. Following a competitive process through the City of Toronto this report recommends the Board enter into agreement with Bennett Equipment Services Inc., the lowest qualified bidder.

Recommendation:

It is recommended that the Board enter into agreement with Bennett Equipment Services Inc. (“BENNETT”) for the provision of golf cars on a rental basis to Exhibition Place on such terms and conditions as contained in this report, the Request for Quotations or as required by the Chief Executive Officer and the City Solicitor.

Financial Implications:

The projected annual expenditure for the rental of golf cars is \$90,000, equally divided between the CNE and Exhibition Place programs, and provided for in the 2010 Operating Budget.

Decision History:

In April, 2008, a request for quotation (RFQ) for the rental of golf cars was awarded to Albion Golf Cars for a term of two years ending April 30, 2010.

Issue Background:

The existing agreement with Albion Golf Cars was for a term of two years ending April 30, 2010.

Comments:

On January 12, 2010, Exhibition Place through the City of Toronto Finance Department, Purchasing and Materials Management Division issued an RFQ for the provision rental of golf cars for the 2010 summer season with the option to extend for the 2011 summer season.

The RFQ listed the various configurations and types of golf cars required, with a focus on obtaining primarily electric powered as well as solar power augmented units. Bidders were required to submit rates based on 4 week rental periods.

The RFQ closed on February 1, 2010, with two responses. The results, based on projected requirements are as follows:

	<u>2010 Summer Season</u>	<u>2011 Summer Season</u>
Bennett Equipment Services Inc.	\$82,755.00	\$82,755.00
Albion Golf Cars	\$121,842.20	\$129,475.80

During the summer, Operations and Facility Services staff utilize golf carts for on site mobility purposes in the delivery of services to clients and for the set-up of the CNE. During the CNE golf cars become the main mode of transportation for staff and service providers.

BENNETT was established in 1994 and is located in Stouffville, Ontario. They currently sell, service and rent golf cars and UTVs to a broad range of market sectors. References include: Ontario Place, United Rentals, Stronco, NAV Canada, US Steel and the City of Toronto. The City of Toronto Fair Wage and Labour Trades Office confirms that BENNETT is in compliance with the Fair Wage and Labour Trades requirements for this work.

The substantial terms of the agreement will be as follows:

- (a) Term: One year commencing May 1, 2010 , with the option to extend for an additional one year term subject to satisfactory performance review and
- (b) Prices: Rental rates be fixed during the term of the Agreement.
- (c) Union Agreements: BENNETT shall comply with all agreements in force between the Board and any union or association with respect to Exhibition Place.
- (d) Assignment: The agreement between the Board and BENNETT shall not be assigned by BENNETT without the consent of the Board.
- (e) Insurance/Indemnity: BENNETT shall provide proof of insurance in a form and amount satisfactory to the Board and containing provisions including the Board and the City of Toronto as additional insured with a cross liability/severability of interest clause of standard wording. Insurance shall be primary before any insurance held by the additional insured and the Board shall be entitled to thirty days notice of any intention to cancel or not to renew the policy. BENNETT shall indemnify the Board and the City of Toronto with respect to any and all liability arising from any damage or injury as a result of the negligent acts or omissions of Green, or its employees or any other person for whom it is in law responsible, in the supply and quality of the equipment.
- (f) Other Terms: Such other terms and conditions as contained in the Request for Quotations or as required by the Chief Executive Officer and the City Solicitor.

For the information of the Board, CNE staff have reviewed the recommended proponent and concur with the recommendation.

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