


Hamilton

INFORMATION UPDATE

TO:	Mayor and Members City Council
DATE:	May 31, 2019
SUBJECT:	Commercial Relationship Between the City of Hamilton and Kenaidan Contracting Ltd.
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Rick Male Director, Financial Services and Taxation & Corporate Controller Corporate Services Department
SIGNATURE:	

The following resolution was approved by Council on March 8, 2017:

Commercial Relationship Between the City of Hamilton and Kenaidan Contracting Ltd. (LS17009(a)/FCS17027(a))

- (a) That, due to the impairment of the commercial relationship between the City of Hamilton and Kenaidan Contracting Ltd. ("Kenaidan") that has resulted from litigation and from Kenaidan's acts or omissions, staff be directed to reject any current and future Bids, as defined in the Procurement Policy By-law, received from Kenaidan or any of its related corporate or individual entities, including any joint venture to which Kenaidan is a party, until and including March 7, 2019;
- (b) That the City of Hamilton not enter into any contract with Kenaidan, or any of its related corporate or individual entities, including any joint venture to which Kenaidan is a party, until and including March 7, 2019;
- (c) That the contents of Report LS17009(a)/FCS17027(a) remain confidential.

Kenaidan was a member of the joint venture of Ontario Sports Solutions (PAG) L.P., which joint venture was the general contractor for the design, construction and financing of Tim Horton's Field Stadium.

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After consulting internally with City staff, it has been determined there is no reason to extend the vendor ban against Kenaidan. Accordingly, should Kenaidan wish to submit bids on future procurement opportunities, the City will be accepting those submissions.

While Procurement does not typically notify Council about the expiry of vendor bans, notice was considered appropriate in this case given the sensitivity of the circumstances which initially led to the ban, namely the construction problems and litigation associated with the Tim Horton's Field Stadium.