



BY-LAW

No. 2023 -

Being a By-law to Award a Tender Contract for the Mount Forst Avenue Reconstruction Project, in The Municipality of Kincardine (Omega Contractors Inc.)

Whereas Section 44 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality has jurisdiction over a highway or bridge shall keep it in a state of repair that is reasonable in the circumstances; and

Whereas pursuant to the said *Municipal Act*, Section 8 (1) and 9 provide that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues and has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

Whereas it has been determined that there is a need to reconstruct Mount Forest Avenue. within the Municipality of Kincardine, pursuant to Tender No. 2023-19322 and Environmental Services Report 2023-47; now therefore be it

Resolved that the Council of The Corporation of the Municipality of Kincardine **Enacts** as follows:

1. That the Tender for the Mount Forest Avenue. Reconstruction Project be awarded to Omega Contractors Inc., in the amount of \$1,116,482.11 (including the non-refundable portion of HST).
2. That the Mayor and Clerk be authorized and directed to execute, on behalf of The Corporation of the Municipality of Kincardine, any contracts and other documents required to authorize such work to commence.
3. This By-law shall come into full force and effect upon its final passage.
4. This By-law may be cited as the "Mount Forest Avenue (Omega Contractors Inc.) Tender Acceptance By-law".

Read a First and Second Time this 13th day of December, 2023.

Read a Third Time and Finally Passed this 13th day of December, 2023.

Mayor

Clerk