

### Section I – Items for Board of Directors Action

**TO:** Chair and Members of the Executive Committee  
Friday, May 6, 2022 Meeting

**FROM:** Anil Wijesooriya, Director, Restoration and Infrastructure

**RE:** **AWARD FOR REQUEST FOR PROPOSAL DESIGN-BUILD SERVICES  
FOR THE 193-195 HUDSON DRIVE SLOPE STABILIZATION PROJECT**  
RFP No. 10036543

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#### KEY ISSUE

Award of Request for Proposal (RFP) No. 10036543 for Design-Build services to develop a slope stabilization design and supply all engineering services necessary to construct the design for the 193 – 195 Hudson Drive Slope Stabilization Project, in the City of Toronto.

#### RECOMMENDATION:

**THE EXECUTIVE COMMITTEE RECOMMENDS THAT WHEREAS** the Toronto and Region Conservation Authority (TRCA) is engaged in a project that requires a slope stabilization solution which will provide long term protection for two (2) private residential homes at 193 & 195 Hudson Drive through TRCA's Erosion Risk Management Program;

**AND WHEREAS** TRCA solicited proposals through a publicly advertised process and evaluated the proposals based on the criteria;

**THEREFORE LET IT BE RESOLVED THAT** Request for Proposal (RFP) No. 10036543 for Design-Build services for the 193 – 195 Hudson Drive Slope Stabilization Project be awarded to Midome Construction Services Ltd. at a total cost not to exceed \$1,500,000 plus applicable taxes, to be expended as authorized by TRCA staff;

**THAT** TRCA staff be authorized to approve additional expenditures to a maximum of \$150,000 (10% of the project cost), plus applicable taxes, in excess of the contract cost as a contingency allowance if deemed necessary;

**THAT** should TRCA staff be unable to negotiate a contract with the above-mentioned proponent, staff be authorized to enter into and conclude contract negotiations with other Proponents that submitted proposals, beginning with the next highest ranked Proponent meeting TRCA specifications;

**AND FURTHER THAT** authorized TRCA officials be directed to take whatever action may be required to implement the contract, including the obtaining of necessary approvals and the signing and execution of any documents.

#### BACKGROUND

Based on the extent of risk identified through geotechnical investigations completed at this site TRCA has proposed to move forward with a slope stabilization project in the Moore Park Ravine to provide long term protection for two private residential properties at 193 & 195 Hudson Drive, in the City of Toronto. This work is being planned through TRCA's Erosion Risk Management Program.

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Slope instability issues in this area were first reported to TRCA in 2008 and are generally confined to the valley slope behind Hudson Drive and southeast of the intersection at Moore Avenue and Welland Avenue. To date there have been several investigations and studies completed at this site.

In 2008 TRCA retained Terraprobe Inc. to complete a slope stability and erosion risk assessment. This report concluded that “upper portions of the slope are potentially at risk of another slope failure ... between 195 and 193 Hudson Drive”.

In October 2016, Terraprobe Inc. was retained to provide an updated Long Term Stable Slope Crest (LTSSC) position due to insufficient borehole information within past geotechnical reports. The LTSSC update draft report concluded that the LTSSC remained largely unchanged from the 2008 geotechnical report.

In 2019 Terraprobe Inc. developed a Constraints Drawing to delineate the maximum allowable site disturbance and site access, based on slope stabilization requirements as well as environmental considerations. The drawing dictated the limits of disturbance for the construction zone where a slope stabilization solution is required to address the difficult site access and environmental sensitivity of the Project site.

Due to challenging site conditions and availability of feasible, proprietary slope stabilization solutions, TRCA staff proceeded with procuring a design-build solution through a Request for Proposal process rather than undertaking a more typical design-bid-build process. Invited bidders were asked to propose a slope stabilization solution that can be constructed generally within the limits of disturbance shown in the Constraints Drawing. While there is an access point at the toe of slope along the Beltline Trail, there are logistical issues with using this access route due to two ongoing projects in the general project area (Mud Creek Restoration – Reach 3, and the Beltline Trail at Moore Avenue Improvements Project).

Since the Project site is located at the top of a steep valley slope within a densely populated ravine, proponents were asked to demonstrate experience working on private property with very limited construction access causing minimal disturbance to surrounding properties.

### **RATIONALE**

RFP documentation was posted on the public procurement website [www.biddingo.com](http://www.biddingo.com) on December 14, 2021 and closed on January 14, 2022. A mandatory Bidders meeting was hosted on December 7, 2021. Four (4) addendums were issued to respond to questions received and to extend the proposal submission deadline. A total of 43 firms downloaded the documents and four (4) proposals were received from the following Proponents:

- Midome Construction Services Ltd.
- Geostabilization International Inc.
- Metric Contracting Services Corp
- Hobden Construction Company Ltd.

The proposal from Hobden Construction Company Ltd. was disqualified as a certifiable Agreement to Bond was not included with their proposal submission.

During the evaluation process, some of the proposed construction methodologies prompted concerns related to potential impacts to the foundations of the two properties. TRCA acquired additional information on the properties foundations through a routine disclosure of building

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records in February 2022. One (1) post-bid addendum was issued on March 1, 2022 to circulate the additional foundation information to all invited bidders who submitted a valid proposal at the time of closing. TRCA requested updated Technical and Fee Proposals acknowledging the new foundation information and any associated changes to the construction methodology or costs.

Metric Contracting Services did not issue a revised submission and their proposal was not evaluated further.

An Evaluation Committee comprised of staff from Erosion Risk Management and Construction Services reviewed the two (2) valid proposals from Midome Construction Services Ltd. and Geostabilization International Inc. The criteria used to evaluate and select the recommended Design-Build team included the following:

Criteria	Weight
Conformance with the terms of the RFP	15%
Understanding of Project and Scope of Work	15%
Similar Projects – Scope and Magnitude	10%
Expertise and Availability of Project Team	10%
Approach and Methodology	20%
<b>Technical Proposal Weighting Sub-Total</b>	<b>70%</b>
Pricing	30%
<b>Fee Proposal Weighting Sub-Total</b>	<b>30%</b>
<b>Total</b>	<b>100%</b>

Midome Construction Services Ltd. was evaluated as the highest overall ranked Bidder that met all requirements set out in the RFP. Geostabilization International Inc. proposed a soil nailing approach, however the Evaluation Committee was not satisfied that the re-submission addressed potential conflicts with the foundation of the homes.

Therefore, it is recommended that contract No. 10036543 be awarded to Midome Construction Services Ltd. at a total cost not to exceed \$1,500,000 plus a 10% contingency, plus applicable taxes, it being the highest ranked Bidder meeting TRCA specifications. Evaluation scores and staff analysis of the evaluation results can be provided in an in-camera presentation, upon request.

### **Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan**

This report supports the following strategies set forth in the TRCA 2013-2022 Strategic Plan:

**Strategy 2 – Manage our regional water resources for current and future generations**

**Strategy 7 – Build partnerships and new business models**

### **FINANCIAL DETAILS**

Funds for the contract are identified in the 2022 City of Toronto capital budget for Valley Erosion Hazards Projects. Per Schedule A ('Owner Contribution Schedule) of TRCA's Private Landowner Contribution Policy (2017), benefitting landowners at 193 & 195 Hudson Drive must transfer a cash contribution valued at 30% of the total project cost to TRCA before work begins. The total cash contribution from both landowners is approximately \$450,000.

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The cost of executing this contract, including staff time and associated project management costs, is being tracked under account 133-42.

### **DETAILS OF WORK TO BE DONE**

The key deliverables and project schedule are outlined below (project schedule to be confirmed by Midome Construction Services Ltd):

- Execute erosion control agreements with private landowners at 193 & 195 Hudson Drive, including securing cash contribution from both landowners in full before award of contract to Midome Construction Services Ltd
- Develop slope stabilization designs for TRCA and landowner review, June 2022 – July 2022
- Secure all necessary permits and approvals to proceed with work, June 2022 – September 2022
- Supply of all engineering support, testing, supervision, labour, equipment, and materials necessary to construct the slope stabilization design, October 2022 – January 2022
- On-site and offsite restoration activities, Spring 2023

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**Date: April 24, 2022**

**Attachments: 2**

Attachment 1: Hudson Drive Project Location Map – Toronto

Attachment 2: Hudson Drive Photos - Toronto