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Section I – Items for Board of Directors Action

TO: Chair and Members of the Board of Directors
Friday, May 24, 2024 Meeting

FROM: Anil Wijesooriya, Director, Restoration and Infrastructure

RE: **VENDOR OF RECORD ARRANGEMENT FOR RENTAL OF CONSTRUCTION EQUIPMENT**
RFP No. 10040929

KEY ISSUE

Award of Request for Proposal (RFP) No. 10040929 for a Vendor of Record (VOR) arrangement for the rental of construction equipment.

RECOMMENDATION:

WHEREAS Toronto and Region Conservation Authority (TRCA) is engaged in a variety of programs/projects that require the rental of construction equipment;

AND WHEREAS TRCA solicited proposals through a publicly advertised process and evaluated the proposals based on the criteria outlined in this report;

THEREFORE LET IT BE RESOLVED THAT TRCA staff be directed to establish a Vendor of Record arrangement with Atlas Dewatering Corporation, Battlefield Equipment Rentals (Division of Toromont Industries Ltd.), Cooper Equipment Rentals, Matthews Equipment Limited O/A Herc Rentals, and United Rentals of Canada, Inc. for the supply of rental construction equipment from August 1, 2024 to August 1, 2026 for a total cost not exceeding \$1,125,000, plus applicable taxes, to be expended as authorized by TRCA staff;

THAT TRCA staff be authorized to approve additional expenditures to a maximum of \$168,750 (15% of anticipated expenditures), plus applicable taxes, in excess of the contract cost as a contingency allowance if deemed necessary;

THAT TRCA staff have the option to extend the term of the contract by one (1) year, pending further Board of Directors approval;

THAT should TRCA staff be unable to negotiate contracts with successful Proponents, staff be authorized to enter into and conclude contract negotiations with other Proponents that submitted proposals, beginning with the next highest ranked Proponent per TRCA's evaluation results;

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

TRCA requires various construction equipment for completing a variety of engineering, habitat restoration, and trail building projects throughout TRCA's jurisdiction. By

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establishing a VOR arrangement for rental of construction equipment, vendors are authorized to provide these goods and/or services for a defined period of time and with fixed pricing.

Categories of equipment under this VOR contract include the following:

- Air Compressors;
- Compaction Equipment;
- Concrete & Masonry Equipment;
- Earth Moving Equipment;
- Elevated Work Platforms;
- Landscaping Equipment;
- Light Use Generators & Portable lighting;
- Heavy Use Generators & Portable lighting
- Light Use Pumps; and
- Heavy Use Pumps.

Staff may contact a vendor on the list to provide rental equipment goods and/or services with a value up to \$100,000 per project, per annum. Services above this threshold are subject to TRCA's Procurement Policy. TRCA staff making orders through this contract are directed to strictly rent equipment manufactured after the year 2008. The only exception to this requirement is if there is no equipment available meeting these criteria from vendors, and sourcing such equipment would cause significant project delays.

Vendors will be required to provide all resources required to service the divisional or program needs in accordance with applicable laws, codes, standards, terms and conditions of the VOR agreement.

The VOR arrangement will be subject to annual review in order to confirm that the vendors are providing an adequate level of service and to update any applicable insurance, certifications, or policies of the vendors.

RATIONALE

RFP documentation was posted on the public procurement website www.bidsandtenders.ca on March 15, 2024 and closed on April 3, 2024. A total of thirteen (13) firms downloaded the documents and seven (7) proposals were received from the following vendor(s):

- Atlas Dewatering Corporation
- Battlefield Equipment Rentals, Division of Toromont Industries Ltd.
- Cooper Equipment Rentals
- Enduraquip Inc.
- Matthews Equipment Limited O/A Herc Rentals
- RTI Equipment Solutions Inc.
- United Rentals of Canada, Inc.

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The technical proposal from RTI Equipment Solutions Inc. and Enduraquip Inc. did not meet the minimum score of 30 points and was not evaluated further.

An Evaluation Committee comprised of staff from Restoration and Infrastructure's Construction Services business unit reviewed the proposals. The criteria used to evaluate and select the recommended Proponents included the following:

Criteria	Weight	Minimum Score
Proponent's Information and Profile	5	
Organizational Experience and Servicing Locations	10	
Company Structure	10	
Maintenance and Repair Policy	10	
Sustainability Initiatives	5	
Technical Sub-Total	40	30
Pricing	60	
Financial Sub-Total	60	
Total Points	100	

Through the evaluation process it was determined that Atlas Dewatering Corporation, Battlefield Equipment Rentals, Division of Toromont Industries Ltd., Cooper Equipment Rentals, Matthews Equipment Limited O/A Herc Rentals, and United Rentals of Canada, Inc. are the four (4) highest scoring vendors meeting the qualifications and requirements set out in the RFP for at least one of the equipment categories they were evaluated in. Therefore, staff recommends the award of contract No. 10040929 to:

- Atlas Dewatering Corporation,
- Battlefield Equipment Rentals, Division of Toromont Industries Ltd.,
- Cooper Equipment Rentals,
- Matthews Equipment Limited O/A Herc Rentals and,
- United Rentals of Canada, Inc.

Proponent's scores and staff analysis of the evaluation results can be provided in an in-camera presentation, upon request.

Relationship to TRCA's 2023-2034 Strategic Plan

This report supports the following Pillars and Outcomes set forth in TRCA's 2023-2034 Strategic Plan:

Pillar 1 Environmental Protection and Hazard Management:

- 1.1 Deliver provincially mandated services pertaining to flood and erosion hazards

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1.3 Maintain healthy and resilient watershed ecosystems in the face of a changing climate

Pillar 4 Service Excellence:

4.2 Provide and manage an efficient and adaptable organization

FINANCIAL DETAILS

Based upon expenditures for the current VOR contract for rental of construction equipment (2022-2024), the anticipated costs for the requested goods and services are estimated to be approximately \$1,125,000, plus applicable taxes, for the initial two (2) year term. While TRCA staff have made every reasonable effort to accurately forecast expenditures for this contract, TRCA is additionally recommending a 15% contingency of \$168,750, plus applicable taxes, to account for potential increases in workload and expenditures over the term of the contract.

An increase or decrease in workload will have an impact on the value of this contract. All vendors on the VOR list understand both the potential cost and resource implications associated with changes in workload. The goods and/or services will be provided on an "as required" basis with no minimum orders guaranteed. Vendors may increase rates annually, to a maximum of the preceding year's Ontario's Consumer Price Index as published by Statistics Canada.

The rental equipment provided through this contract are used to support a variety of capital and cost recoverable project accounts. Funds used to purchase these goods and services are budgeted directly within these accounts.

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