

Section I – Items for Board of Directors Action

TO: Chair and Members of the Board of Directors
Friday, October 11, 2024 Meeting

FROM: Kathryn Lockyer, Director, Legislative and Property Services

RE: **ENGINEERING SERVICES FOR THE EAST DON TRAIL PHASE 1 DESIGN FOR A TUNNEL AND PEDESTRIAN OVERPASS WITHIN THE METROLINX BALA SUBDIVISION RAILWAY CORRIDOR**
Contract Extension-Request for Proposal RFP #10021137

KEY ISSUE

Contract Extension for Proposal (RFP) No. 10021137 for contract administration support for the construction of a pedestrian tunnel and bridge within the Metrolinx Bala Subdivision Railway Corridor located in the City of Toronto.

RECOMMENDATION:

WHEREAS Toronto and Region Conservation Authority (TRCA) and the City of Toronto (the “City”) have a Master Service Agreement to allow TRCA to undertake certain projects in partnership and/or on behalf of the City’s Parks, Forestry and Recreation Division and the Transportation Services Division;

AND WHEREAS the City’s Transportation Services Division has a Letter Agreement with TRCA, executed under the Master Service Agreement, for construction of Phase 1 of the East Don Trail Project;

AND WHEREAS TRCA requires engineering and construction support services to deliver the East Don Trail Project;

WHEREAS At the TRCA Board of Directors Meeting held June 26, 2020 award of Contract No. 10021137 to R.J. Burnside & Associates Ltd. was approved for the detailed design of the East Don Trail tunnel and bridge in the amount of \$409,040 plus 10% contingency, plus applicable taxes;

WHEREAS delays in receiving approvals from Metrolinx in a timely

manner has prolonged the construction schedule warranting an increase in consultant fees for hourly rates, additional meetings with stakeholders, and design revisions during the review process;

THEREFORE LET IT BE RESOLVED THAT TRCA proceed with revising the value of Contract 10021137 to \$579,944 to R.J. Burnside & Associates Ltd.;

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

BACKGROUND

The East Don Trail Project is being completed by the City of Toronto in partnership with TRCA. The purpose of the East Don Trail Project is to create a key connection in the City of Toronto's multi-use trail system to provide safe and equitable access to nature and recreational opportunities for the public, and to create a safe travel route. Currently, a significant gap in the multi-use trail network exists within the East Don Corridor between the existing East Don Trail (East of Wynford Heights Crescent), the Gatineau Corridor Trail (at approximately Bermondsey Road), and the Lower Don Trail System. The proposed East Don Trail will fill this existing gap, thus creating a continuous connected trail network.

The City of Toronto's Bikeway Trails Implementation Plan approved by Toronto City Council in 2012 identified the need for a trail connection in the East Don Corridor, while the East Don Trail Master Plan Update, completed in 2012, determined that the trail connection was feasible and recommended that further environmental studies were necessary. The East Don Trail Municipal Class Schedule C Environmental Assessment (EA) identified, evaluated and selected a preferred East Don Trail route. The EA was filed with the Ministry of Environment and Climate Change and was approved in the fall of 2016.

The recommended solution (preferred trail route), as documented in the Environmental Study Report, is a 3.6 to 4 meter wide, approximately five kilometers long asphalt multi-use trail routed within the East Don Corridor (not including access routes). The route includes nine bridges over the East Don River, one over Taylor Massey Creek and two over drainage

tributaries, as well as five crossings of the Metrolinx railway corridor. The preferred trail route has been divided into three (3) distinct phases for detailed design and construction, with Phases 1 and 2 being prioritized. Phase 1 spans from the Lower Don Trail to the Gatineau Corridor Trail at Bermondsey Road, while Phase 2 spans from the existing East Don Trail north of Wynford Heights Crescent connecting to Wigmore Park in the east and to Eglinton Avenue in the south.

At the TRCA Board of Directors Meeting held on June 25, 2020, the award of Contract No. 10021137 to R.J. Burnside & Associates Ltd. (now Egis Canada Ltd.) was approved for the detailed design of the bridge and tunnel in the amount of \$409,040 plus 10% contingency, plus applicable taxes.

The proposed scope of work and deliverables for this RFP includes the following:

- Pre-design and site assessment including review of available information, license agreements, East Don Trail Phase 1 detailed design drawings, geotechnical information, site access requirements, and as-builts;
- Preparation of detailed design drawings and costing at 30%, 60% & 90% design;
- Permits and approvals including; Hydro One, AECOM (Metrolinx third party reviewer) and Metrolinx;
- Preparation of tender documents including; technical support during the tendering process and review of bids received; and
- Site inspections and contract administration.

Through 2022, the Project Team was experiencing delays in obtaining work plan approvals from AECOM (Metrolinx third-party reviewer). These delays continued into 2023 and 2024. The initial completion date for both the bridge and tunnel install phases of the project was forecasted for December 2022. Additionally, bridge design needed to be altered as supply chain disruption for steel fabrication timelines were impacting the overall project schedule and grant funding deadlines.

Due to on-going technical challenges and review, and the need for the analysis to ensure delay claims were valid, several change orders have been issued throughout the duration of the contract.

As a result of the above noted Metrolinx review delays, and the associated claims and re-design work, additional time and effort is required by RJ Burnside and Associates. In addition, as the required construction work is weather sensitive (e.g., no work can be performed in the rail line corridor during the winter months) additional administration costs will also increase the delay of project implementation into the next calendar year. With this updated prolonged schedule, the hourly and per diem rates also require adjusting based on the Consumer Price Index (CPI) for new scope items associated with the above-mentioned delays.

RATIONALE

Approval of the contract increase is warranted in order to support the completion of construction which is a City priority. Sufficient design funds remain in the funding account code to support this added 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 3 Community Prosperity:

3.1 Connect communities to nature and greenspace

Pillar 3 Community Prosperity:

3.2 A culture of diversity, equity and inclusion contributing to community well-being

FINANCIAL DETAILS

Funding for this project will be fully recoverable from the City of Toronto's Transportation Services Division through a Letter of Agreement under the Master Services Agreement. Funds will be tracked through account 117-82.

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