

Section I – Items for Board of Directors Action

TO: Chair and Members of the Executive Committee
Meeting #6/19, Friday, July 05, 2019

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: **REQUEST FOR TENDER FOR ASHBRIDGES BAY TREATMENT PLANT
LANDFORM PROJECT – CONSTRUCTION OF EAST AND CENTRAL
BREAKWATERS**
RFT No. 10021138

KEY ISSUE

Award of Request for Tender (RFT) No. 10021138 for Construction of the East and Central Breakwaters as part of the Ashbridge's Bay Treatment Plant Landform Project.

RECOMMENDATION

WHEREAS Toronto and Region Conservation Authority (TRCA) is engaged in a project that requires marine based general contracting services;

AND WHEREAS TRCA solicited tenders through a publicly advertised process;

THEREFORE THE EXECUTIVE COMMITTEE RECOMMENDS THAT Request for Tender (RFT) No. 10021138 for Construction of the East and Central Breakwaters be awarded to H.R. Doornekamp Construction Ltd. at a total cost not to exceed \$27,363,894 plus applicable taxes, to be expended as authorized by Toronto and Region Conservation Authority (TRCA) staff;

THAT TRCA staff be authorized to approve additional expenditures to a maximum of \$2,736,389 (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 quotations, beginning with the next lowest bid 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

On May 2, 2012, TRCA was notified of the Toronto Council decision on April 10 and 11, 2012 to direct Toronto Water to enter into a joint initiative with TRCA to lead an Environmental Assessment Study that considers a landform south of the Ashbridge's Bay Wastewater Treatment Plant, to provide for the construction of the Coatsworth Cut stormwater treatment wetland and combined sewer overflow high-rate treatment facility, and that integrates these projects with other projects planned for the area.

Item 8.1.

At Authority Meeting #5/12, held on June 22, 2012, RES.#A96/12 provided staff direction to lead the Environmental Assessment Study, in collaboration with Toronto Water, Parks, Forestry and Recreation, Toronto Waterfront Secretariat, and Toronto Waterfront Revitalization Corporation. TRCA then proceeded to undertake a Conservation Ontario Class Environmental Assessment (Class EA) to support the advancement of the project, resulting in the study entitled "Ashbridge's Bay Erosion and Sediment Control Project – Conservation Ontario Class EA". This Class EA study identified a preferred alternative that consists of erosion and sediment control structures that integrate with the lakefill area required for the City's planned facilities and provides a long-term solution to address the sedimentation issue with the Coatsworth Cut navigation channel which TRCA currently maintains through a \$250,000 per year dredging program.

In June 2014, Toronto City Council authorized the finalization of the Environmental Study Report for the Class EA and authorized Toronto Water to undertake the detailed design of the Ashbridge's Bay Treatment Plant Landform Project as a joint initiative to be led by TRCA. In 2017, TRCA coordinated the detailed design for the Ashbridge's Bay Treatment Plant Landform, incorporating the approved design concepts as outlined in the City of Toronto's Coatsworth Cut and Don River and Central Waterfront EAs and TRCA's Ashbridge's Bay Erosion and Sediment Control EA. The detailed design process was completed in 2018. Permits/authorizations have been submitted to Transport Canada and Department of Fisheries and Oceans. Once these are approved a Harbour Master Authorization application will be submitted to Ports Toronto (July 2019).

The final design of the Ashbridges Bay Treatment Plant Landform Project consists of approximately 27 ha of new land (lakefill) and is composed three distinct elements:

- a 16.4 ha land base protected by an armour stone headland-cobble beach system and a rip rap revetment;
- a 710 m long central breakwater, constructed from the west side of Coatsworth Cut; and
- a smaller 100 m long east breakwater, constructed from the southernmost headland of Ashbridges Bay Park.

Given the scope of the Landform Project, an estimated five to six-year phased approach is required to construct the works commencing in 2019. The phases are as follows and depicted in the map included as Attachment 1:

- Phase 1 – Construction of the Cell 1 confinement berm for the land base, filling of Cell 1, and construction of the headland-beach system and submerged shoals associated with Cell 1
- Phase 2 – Construction of the east breakwater
- Phase 3 – Construction of the Cell 2 confinement berm for the land base, filling of Cell 2, and construction of the headland-beach system and submerged shoals associated with Cell 2
- Phase 4 – Construction of the central breakwater
- Phase 5 – Construction of the Cell 3 confinement berm (revetment) for the land base and filling of Cell 3

Construction of the central and east breakwaters will be contracted out and the supply and placement of the required rip rap and armourstone will be by barge. This method was chosen because of site access limitations. For the east breakwater this method will also minimize impacts to Ashbridges Bay Park users. The central and east breakwater in tandem will provide a

Item 8.1.

long-term solution to address the sedimentation issue within the Coatsworth Cut Navigation channel and alleviate annual dredging costs.

As the east breakwater provides requisite protection to the central breakwater and the eastern portion of the land base, it will be constructed first. Construction of the eastern breakwater is anticipated to take one construction season and is scheduled to run from August 1st, 2019 to December 31st, 2020.

Because of its length, and difficulty in winter barge construction, the central breakwater has been divided into three construction seasons with three separate mobilizations and demobilizations. Construction will be undertaken between July 1st, 2020 to December 31st, 2022.

RATIONALE

At Board of Directors meeting #4/19, held on April 26, 2019, RES.#A58/19 provided staff with direction to negotiate and enter into and execute one or more service agreements with the City of Toronto to construct the Ashbridges Bay Treatment Plant Landform. TRCA is currently working with Toronto Water to finalize an interim letter agreement and licence agreement for pre-construction planning and mobilization. Circulation of the draft implementation agreement for TRCA is pending.

TRCA has undertaken the necessary pre-planning procurement to put the project in a position to move forward with construction upon execution of the implementation agreement with the City of Toronto. Request for Pre-Qualification (RFPQ) statements for general contractors to pre-qualify for construction services for the central and east breakwater was publicly advertised on the electronic procurement website *Biddingo* (www.biddingo.com) on March 7, 2019. General contractors interested in pre-qualifying were advised that the criteria for evaluation will include the following in order to receive a tender package:

- completeness of submission;
- past experience with construction within environmentally sensitive areas;
- construction of similar erosion control works;
- experience with installation and maintenance of erosion and sediment control measures;
- shoreline protection works;
- habitat enhancement and regeneration projects;
- waterfront development projects;
- ability to meet construction schedule milestones;
- ability to coordinate work by others;
- implementation of construction projects with budgets ranging between \$10,000,000 to \$25,000,000;
- experience working on Lake Ontario or similar sized water bodies; and
- familiarity with relevant environmental legislation and procedures relating to construction within environmentally sensitive areas, watercourses and within TRCA's jurisdiction.

A total of five (5) addendums were issued to respond to questions received.

On March 29, 2019, TRCA received pre-qualification submissions from the following eleven (11) general contractors:

- Atlantis Marine Construction Canada Inc.;
- Clearway Construction Inc.;
- CSL Group;

Item 8.1.

- Dean Construction Company Ltd.;
- Doornekamp Construction Ltd.;
- EBC Inc.;
- EllisDon Civil Ltd.;
- Galcon Marine Ltd.;
- Graham Construction and engineering LP;
- McNally Construction Inc.; and
- Metric Contracting Services Corp.

Following receipt of the submissions, pre-qualifying documents were reviewed by the selection committee made up of TRCA staff. Evaluations were based on the criteria defined above. Based on the evaluation process, Request for Tender (RFT) documents were made available on May 22, 2019 to the following eight (8) general contractors:

- Atlantis Marine Construction Canada Inc.;
- Dean Construction;
- Doornekamp Construction Ltd.;
- EllisDon Civil Ltd.;
- Galcon Marine Ltd.;
- Graham Construction and engineering LP;
- McNally Construction; and
- Metric Contracting Services Corp.

A mandatory bidders meeting/site tour was held on May 28, 2019. The RFT closed on June 21, 2019.

A total of five (5) addendums were issued to respond to questions received.

A total of four (4) proponent(s) declined the opportunity to bid due to current workload and inability to take on additional work.

The Procurement Opening Committee opened the Tenders on June 17, 2019 at 1:00 pm with the following results:

RFT No. 10021138

BIDDERS	TOTAL TENDER AMOUNT (excl. HST)
H.R. Doornekamp Construction Ltd.	\$27,363,894
McNally Construction Incorporated	\$32,934,670
Atlantis Marine Construction Canada Inc.	\$38,741,868
Dean Construction Company Ltd.	\$62,765,880

Item 8.1.

Staff reviewed the bid received from H.R. Doornekamp Construction Ltd. against its own cost estimate and has determined that the bid is of reasonable value and meets the requirements as outlined in the RFT documents. Further assessment by TRCA staff of H.R. Doornekamp Construction Ltd. Experience and ability to undertake similar projects was conducted through reference checks which resulted in positive feedback that H.R. Doornekamp Construction Ltd. is capable of undertaking the scope of work.

TRCA staff recommended that contract No. #10021138 be awarded to H.R. Doornekamp Construction Ltd. at a total cost not to exceed \$27,363,894 plus 10% contingency, plus applicable taxes, it being the lowest bid meeting TRCA's specifications.

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

This report supports the following strategic priority 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

Strategy 12 – Facilitate a region-wide approach to sustainability

FINANCIAL DETAILS

The estimated project cost for construction of the Ashbridges Bay Treatment Plant Landform Project is \$96.0 million net of all applicable taxes (\$97.7 million net of HST recoveries). TRCA will work with the City of Toronto to further refine the implementation budget prior to signing a service agreement to undertake the work. The contract for RFT 10021138 will not be awarded until an implementation agreement is in place with the City of Toronto that will facilitate transfer of funds to TRCA allowing the recovery of all implementation expenses on a cost recovery basis plus an administrative fee (to not exceed 5%). Funds to support the contract for RFT 10021138 will be recovered through the implementation agreement and tracked under account code 183-02.

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Attachments: 1

Attachment 1: Construction Phase Map