

Section III – Items for the Information of the Board

TO: Chair and Members of the Board of Directors
Friday, February 26, 2021 Meeting

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: **THE MEADOWAY PROJECT – PHASE 1 TENDER FOR CONSTRUCTION OF HIGHLAND CREEK TRAIL**

KEY ISSUE

Update on the award of contract #10033680 for the supply of all labour, equipment and materials necessary for the construction of Highland Creek trail as part of The Meadoway Project, in the City of Toronto.

RECOMMENDATION

IT IS RECOMMENDED THAT the staff report regarding the award of contract for general contractor services in support of Phase 1 of the Meadoway Project be received.

BACKGROUND

Led by Toronto and Region Conservation Authority (TRCA), in partnership with Toronto and Region Conservation Foundation, City of Toronto, Hydro One, and the Weston Family Foundation, The Meadoway Project will transform 16 kilometres of hydro corridor in Scarborough into one of the largest urban linear greenspaces in Canada.

One of the key deliverables of Phase 1 was the planning and design of the multi-use trail which will run the full 16 km of The Meadoway. The conceptual alignments for the multi-use trail were evaluated through a Municipal Engineers Class Environmental Assessment (Schedule C), which received approval by the Ministry of Environment, Conservation and Parks (MECP) in January of 2020. In support of the project's active transportation and connections objective, implementation of one of the exiting trail gaps at Highland Creek (Section 5) was included in the Phase 1 budget and deliverables. The Highland Creek trail gap spans 1.8 km between Ellesmere Road and Orton Park Road to the west and Neilson Road to the east. It includes a bridge crossing over the Highland Creek and a boardwalk over a wetland on the east side of the river. It also will connect with the Upper Highland Pan Am Path which is currently under construction and when complete will allow users to travel south to the Lake Ontario waterfront.

In order to continue progress on this deliverable, staff were looking to finalize the tender award by the end of 2020 so work could begin immediately in 2021.

At Board of Directors Meeting #8/20, held on November 20, 2020 Resolution #A184/20 was approved, in part, as follows:

WHEREAS no meetings of the Executive Committee and Board of Directors are scheduled for December 2020;

AND WHEREAS Resolution #A184/19, adopted at the October 25, 2019 Board of Directors meeting previously delegated the approval of all time sensitive procurements for the December 2020 period to the Chief Executive Officer or his designate;

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AND WHEREAS the Weston Family Foundation, as the primary funder of The Meadoway project has advised Toronto and Region Conservation Authority (TRCA) to proceed with the tender of the Highland Creek trail construction and has committed to funding this deliverable, should the tender results be deemed acceptable;

THAT, subject to the approval of funding from the Weston Family Foundation, the Chief Executive Officer be delegated authority to award any contracts plus an appropriate contingency, required to move forward with the construction of the Highland Creek trail, if staff is unable to report to the Board of Directors as per TRCA Procurement Policy due to timing constraints;

THAT should TRCA staff be unable to negotiate a contract with the successful 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;

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;

THAT staff report back on the contract award to the Board of Directors meeting;

RATIONALE

The deadline for substantial completion of this project is July 23, 2021, being recognized that time will be of the essence of the Contract. In summer 2020, staff initiated a Request for Pre-Qualification (RFPQ) of general contractors for construction of The Meadoway Trail Project – Section 5. The RFPQ was publicly advertised on the electronic procurement website [Biddingo \(www.biddingo.com\)](http://www.biddingo.com) on July 23, 2020. General contractors interested in pre-qualifying were advised that the criteria for evaluation would include meeting a series of mandatory and non-mandatory requirements as shown below:

Mandatory Requirements

- 2019 Contractor's Qualification Statement (CCDC 11);
- (3-5yrs) Relevant/compatible Experience (between \$3,500,000 to \$4,500,000)
- Bonding Verification;
- Insurance Verification;
- Health and Safety Policy Document;
- WSIB Clearance;
- Compliance with the City of Toronto's Fair Wage Schedule;
- A signed Pre-Qualification Form.

Non-Mandatory Requirements

- Project Specific Experience;
- Key Personnel; and
- Construction Management Experience.

On August 6, 2020, TRCA received pre-qualification submissions from the following 7 general contractors:

- Bronte Construction Ltd.;
- Clearway Construction Inc.;

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- CSL Group Ltd.;
- Dynex Construction Inc.;
- Loc-Pave Construction Ltd.;
- McPherson-Andrews Contracting Ltd.;
- Metric Contracting Services Corporation.

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, Tender documents for construction services were made available on November 25, 2020 to the following six pre-qualified general contractors:

- Bronte Construction Ltd.;
- CSL Group Ltd.;
- Dynex Construction Inc.;
- Loc-Pave Construction Ltd.;
- McPherson-Andrews Contracting Ltd.; and
- Metric Contracting Services Corporation.

A mandatory bidders meeting/site tour was held on December 2, 2020. Tenders closed on December 21, 2020 and the Procurement Opening Committee opened the tenders with the following results:

BIDDERS	TOTAL TENDER AMOUNT (Plus HST)
McPherson-Andrews Contracting Ltd.	\$ 2,147,591
CSL Group Ltd.	\$ 2,227,646
Loc-Pave Construction	\$ 2,403,994
Metric Contracting Services Corporation	\$ 2,492,280
Bronte Construction Ltd.	\$ 2,620,764
Dynex Construction Inc.	\$ 3,108,169

All bids complied with the mandatory bid requirements as stipulated in the bid documents.

TRCA staff and Dillon Consulting (the Consultant) reviewed the bid received from McPherson-Andrews Contracting Ltd. against its own cost estimate and has determined that the bid is of reasonable value and also meets the requirements as outlined in the contract documents. Further assessment by Dillon Consulting of McPherson-Andrews Contracting Ltd.'s ability to undertake similar projects was conducted through internal research and resulted in positive feedback that McPherson-Andrews Contracting Ltd. is capable of undertaking the scope of work.

DETAILS OF WORK TO BE DONE

Contract #10033680 was awarded to McPherson-Andrews Contracting Ltd. on February 3, 2021. Since award, TRCA has finalized an Agreement with McPherson-Andrews Contracting Ltd. Additionally, the contractor has initiated equipment orders and submitted shop drawings for review and approval for material items with long lead times to mitigate project delays.

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 3 – Rethink greenspace to maximize its value

Strategy 4 – Create complete communities that integrate nature and the built

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environment

Strategy 5 – Foster sustainable citizenship

Strategy 12 – Facilitate a region-wide approach to sustainability

FINANCIAL DETAILS

Based on deliverable refinements, a revised budget of \$38.175M for 2018 – 2025 has been estimated for the overall project. \$10M was secured from the Weston Family Foundation for Phase 1, with an additional \$15M pledged which was contingent on TRCA raising matching funding making the gap in funding currently \$13.175M. Because leverage funding has not been secured to date, the Weston Family Foundation is not in a position to release the \$15M pledged. However, in order to allow for continued progress on the project, they have approved in principal \$1.348M in bridge funding for 2021 to continue to advance meadow restoration and overall project management/coordination. Education, engagement and communications efforts will be suspended or scaled back during this transition. In addition, \$3.8M for the Highland Creek Trail connection and \$584,540 of consolidated unspent funds will be carried over into 2021 from the Phase 1 budget. This brings the total budget supported by the Weston Family Foundation for 2021 to \$5,732,580. Terms for an agreement for the new funding of \$1.348M in 2021 is currently being discussed. It is understood that this will be considered part of the \$15M pledge.

Funds for The Meadoway project are being tracked in account series: 260-01.

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