

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

**TO:** Chair and Members of the Board of Directors  
Friday, June 25, 2021 Meeting

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

**RE:** **DELEGATED AUTHORITY TO AWARD REQUEST FOR TENDER FOR CONSTRUCTION OF HIGHLAND CREEK MULTI-USE TRAIL, PHASE 2 FOR THE MEADOWAY**

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#### KEY ISSUE

Request for delegated authority to the Chief Executive Officer to award any required general contractor services for construction of Phase 2 of The Meadoway Highland Creek multi-use trail between the June and September 2021 Board of Directors meetings.

#### RECOMMENDATION

**WHEREAS** no meetings of the Executive Committee and Board of Directors are scheduled for the months of July and August 2021;

**AND WHEREAS** Resolution #A183/20, adopted at the November 20, 2020 Board of Directors meeting previously delegated the approval of all time sensitive procurements for the months July and August 2021 to the Chief Executive Officer or his designate;

**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;

**THEREFORE, LET IT BE RESOLVED THAT** the Chief Executive Officer be delegated authority to award the contract for construction of the Highland Creek Multi-use Trail, Phase 2;

**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 Phase 2 Highland Creek trail, if staff is unable to report to the Board of Directors in July and August and early September 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;

**AND FURTHER THAT** staff report back on the contract award to the Board of Directors at the September 2021 meeting.

### BACKGROUND

Led by 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 East Toronto including portions of the former boroughs of North York and Scarborough into one of the largest urban linear greenspaces in Canada.

On April 11, 2018, Mayor John Tory along with the Directors of the Weston Family Foundation, and representatives from TRCA and Toronto and Region Conservation Foundation jointly announced the launch of The Meadoway at a ceremony in Scarborough. As part of this announcement, the Weston Family Foundation pledged up to \$25 million in support of the project, with a firm commitment of \$10 million available immediately to support Phase 1 of the project. The City of Toronto committed \$6.3 million to realize the shared vision for The Meadoway by supporting the multi-use trail infrastructure, and to support the City's ongoing operations and maintenance activities in the hydro corridor.

At Authority Meeting #7/18, held on September 28, 2018, an update on The Meadoway and recommendation to advance implementation of key priorities was approved per Resolution #A143/18, in part, as follows:

*WHEREAS The W. Garfield Weston Foundation has made a \$10 million of the \$25 million pledge available immediately to TRCA to implement Phase 1 of the project; ...*

*THEREFORE LET IT BE RESOLVED THAT with appropriate Board Authority approvals including purchasing approvals, authorized TRCA and LCF officials be directed to take all necessary actions regarding retaining consulting services, the hiring of contract staff including project managers, and the signing and execution of any service agreements within the limit of the confirmed approved funding agreement for Phase 1; ...*

*THAT updates be brought back to the Authority on an annual basis as implementation of the project proceeds.*

A budget spanning from 2018-2020 was prepared to support the following key objectives in Phase 1:

- *Education and Community Learning* - Undertaking of engagement and education programs that facilitate opportunities for the community to help implement The Meadoway and utilize this new connection between downtown Toronto and Rouge National Urban Park;
- *Public Relations and Communications* - Undertaking of communications and public relations programs that will effectively position The Meadoway as a world class opportunity for greenspace revitalization;
- *Meadow Revitalization* - Completion of an additional 40 ha of meadow habitat and the continued monitoring and maintenance of 80 ha of habitat in the Meadoway; and
- *Active Transportation and Connections* - Completion of the necessary technical analysis, planning, permitting, and design to provide for a connected 16 km active transportation network across The Meadoway along with beginning implementation for incomplete sections of the trail.

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At Board of Directors meeting #8/20 an annual status report was brought forward, and a presentation was made on project. With 2020 being the end of Phase 1 funding, TRCA has now moved into Phase 2 of The Meadoway project.

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 prioritized for implementation (see Attachment 1). 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.

The Weston Family Foundation approved a carry forward of \$3.8M into 2021 to support the implementation of the Highland Creek trail connection. In order to advance the work in an expedited manner implementation has advanced in two phases. Phase 1 is on TRCA lands and starts at Ellesmere Road and Orton Park Road and extends east across Highland Creek. At Board of Directors meeting #8/20 a request for delegated authority was approved, allowing TRCA to proceed with issuing a Request for Tender and award a contract for general contractor services for Phase 1 of the Highland Creek trail immediately in 2021. Contract #10033680 was awarded to McPherson-Andrews Contracting Ltd. on February 3, 2021 with an update provided to the Board of Directors on February 26, 2021.

Since award, agreements with McPherson-Andrews Contracting Ltd. have been finalized and work has begun on site clearing and preparation, equipment orders have been made, shop drawings have been prepared and reviewed for approval, and fabrication of the pedestrian bridge crossing and boardwalks have started.

Phase 2 of the Highland Creek trail connection at The Meadoway continues the Phase 1 alignment up the slope of the ravine and through the hydro corridor east to Neilson Road. Dillon Consulting Ltd., the engineering consulting firm under contract with TRCA to lead the Environmental Assessment and detailed design process for The Meadoway multi-use trail, is currently working through geotechnical and engineering refinements for Phase 2 of the Highland Creek multi-use trail. It is anticipated that the final design for Phase 2 will be complete in early July of 2021.

### **RATIONALE**

A Request for Pre-Qualification (RFPQ) for general contractors will be publicly advertised on the public procurement website [www.biddingo](http://www.biddingo) in June 2021.

General contractors interested in pre-qualifying will be advised that the criteria for evaluation will include meeting a series of mandatory and nonmandatory 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;

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- 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.

Pending approvals of the finalized detailed design from Hydro One Networks Inc. and Infrastructure Ontario, TRCA is targeting release of the tender to all pre-qualified contractors in late July of 2021.

### **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 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 \$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 to this, \$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.

In 2020 TRCA was successful in securing additional funds for the project. To date \$1.165M have been leveraged from the following sources:

- \$800K – City of Toronto – confirmed reallocation from the Menno-Reesor Restoration Project to contribute to The Meadoway Highland Creek Trail implementation in 2021;
- \$175K – City of Toronto through the Investing in Canada Infrastructure Program (ICIP) – confirmed Wayfinding for existing completed trail in 2021;
- \$150K - TRCA through Rouge National Urban Park - confirmed for trail upgrades and contribution to meadow restoration in the area abutting the Park for 2021/2022; and
- \$40K - Grassland Stewardship Initiative grant to support meadow restoration.

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Discussions are currently underway with the Weston Family Foundation to determine how these funds will be applied to 2021 and 2022 budgets and the impact on the \$15M they have pledged.

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

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

TRCA will continue to work with the City of Toronto to seek opportunities for provincial and federal investment in The Meadoway in order to potentially release the \$15M pledged by the Weston Family Foundation. TRCA will also continue to work with agencies including Infrastructure Ontario, Hydro One and the City of Toronto to obtain all necessary permissions for works throughout the corridor. The following is an overview of key deliverables for 2021 which have been approved by the Weston Family Foundation, based on the Phase 1 carry over of funds and the additional bridge funding:

- Construction of the Highland Creek trail connection (1.8 km). This includes a bridge over the Highland Creek and a boardwalk over the wetland on the east side of the ravine;
- Restoration management (based on current stage of revitalization) of 104.69 ha of meadow habitat;
- 20.76 ha new meadow established;
- Ongoing stakeholder management and addressing public inquiries;
- Preparation of funding requests to all levels of government; and
- General communications including updates to website (as needed); bi-monthly (or around key events) newsletter release via subscriber list (total six per year); and social media – one post to all platforms per week; one Instagram story per month (total 12).

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**Date: May 31, 2021**

**Attachments: 1**

Attachment 1: The Meadoway - Highland Creek Trail