

Section I – Items for Board of Directors Action

TO: Chair and Members of the Executive Committee
Friday, April 01, 2022 Meeting

FROM: Anil Wijesooriya, Director, Restoration and Infrastructure

RE: **REQUEST FOR TENDER FOR GERMAN MILLS SETTLERS PARK
SANITARY INFRASTRUCTURE PROTECTION PROJECT – SITES 2/3**
RFT No. 10036918

KEY ISSUE

Award of Request for Tender (RFT) No.10036918 for the supply of all labour, equipment, and materials necessary for the German Mills Settlers Park Sanitary Infrastructure Protection Project – Sites 2/3, in the City of Markham.

RECOMMENDATION

WHEREAS Toronto and Region Conservation Authority (TRCA) is engaged in a project that requires erosion control for sanitary infrastructure protection - Sites 2/3 in German Mills Settlers Park, City of Markham;

AND WHEREAS TRCA solicited tenders through a publicly advertised process;

THEREFORE, THE EXECUTIVE COMMITTEE RECOMMENDS THAT Request for Tender (RFT) No. 10036918 for German Mills Settlers Park- Sanitary Infrastructure Protection Project- Sites 2/3 be awarded to R & M Construction at a total cost not to exceed \$1,237,914, 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 \$123,791 (approximately 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

The Leslie Collector is a major sanitary sewer main servicing the cities of Vaughan, Richmond Hill and Markham owned by the Regional Municipality of York (York Region). German Mills Creek has migrated within the floodplain and has shifted so that it is now over or in close proximity to the sanitary main and its associated maintenance holes. As a result of this migration, the Leslie Collector is now at high risk of exposure in multiple locations between John Street and Steeles Avenue East, within German Mills Settlers Park.

Since 2012, TRCA's Infrastructure Hazard Monitoring Program (IHMP) has been monitoring the

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Leslie Collector, in association with York Region's Environmental Services. In 2015, TRCA retained Greck & Associates Limited (Greck) in collaboration with Palmer Environmental Consulting Group (now Palmer) to complete a reach-based geomorphic study along a 1250 linear metre stretch of German Mills Creek. This assessment identified several high risk sites that should be addressed by a single design that incorporates best management practices. Altogether, these infrastructure hazard sites are referred to as Sites 2 & 3 when looking at the reach scale erosion risks. In addition to the sanitary infrastructure risks, channel migration is also posing a risk to public multi-use trail infrastructure including a pedestrian bridge within the park (see attachments).

A Schedule B Municipal Class Environmental Assessment (MCEA) for Water and Wastewater Projects was initiated in April 2018. The MCEA determined that a channel realignment with pedestrian bridge extension is the preferred remedial solution for the project area. At the end of 2019, TRCA retained Greck to develop detailed designs for Sites 2-3 through a competitive procurement process. Detailed design development and work on obtaining all necessary permits and approvals to implement the MCEA findings continued through 2021.

The final design involves a major channel realignment along approximately 380 metres of the existing watercourse. The proposed detailed design includes a major channel realignment, vegetated bank protection structures, reconnection of an offline oxbow wetland, fish habitat offsetting measures, installation of a new pedestrian bridge, realignment of a section of multi-use trail, and riparian restoration.

In November 2021, TRCA began the prequalification process for General Contractors and in January 2022, TRCA issued the Request for Tender (RFT) to all prequalified bidders. The project is tentatively scheduled to begin construction in September 2022 and be implemented from fall through early spring, to comply with the fisheries timing window for this part of German Mills Creek.

A section of the Lake to Lake Trail will be closed in German Mills Settlers Park for the duration of active construction. Project information regarding trail closures, detours, staff contact information and other details will be communicated via project signage erected in the park, TRCA's website, notices to the local community and via email to internal and external stakeholders to minimize impacts to park users.

RATIONALE

A Request for Supplier Qualifications (RFSQ) for general contractors was advertised on the public procurement website www.biddingo.com on November 11, 2021 and closed on November 23, 2021. General contractors interested in prequalifying were advised that in order to receive a tender package they must achieve a total score of 65% or higher based on the following evaluation criteria;

• Company's Information and Experience - 20%

- Description of the company, including years in operation.
- Demonstrated availability of sufficient company resources and capacity

• Health and Safety - 15%

- A Health and Safety Policy which demonstrates: The Proponent's methodology in limiting Owner risk during construction and regular safety training for staff.
- Safety awards the Proponent has earned on past projects.
- A copy of the CAD-7 and Cost and Frequency report. Company safety record in the past 5 years is favorable as per the CAD-7.

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- **Key Personnel - 25%**

- Qualifications and Experience of Key Personnel including but not limited to; technical skills, education, accreditation, years of experience and qualifications.

- **Project Experience - 40%**

- Key projects completed in the past 5 years. List maximum 10 projects.
- A list or chart of comparable projects (similar type, size, and complexity) which included the following activities: dewatering, construction of vegetated stone/boulder revetments, riffle-pool sequences, fish habitat offsetting, multi-use trail construction, and/or pedestrian bridge installation. List minimum 5 projects.
- A description of three (3) of the projects in the bullet above and how it is relevant to this project.
- Past experience working with federal, provincial or municipal partners on creek realignment or other major in-water projects.
- Ability to meet construction schedule milestones.
- Key construction projects underway

A total of seven (7) firms downloaded the documents and five (5) pre-qualification submissions were received from the following Proponents:

- Bronte Construction
- CSL Group Ltd.
- Greenspace Construction
- Dynex Construction Inc.
- R & M Construction

An Evaluation Committee comprised of staff from Erosion Risk Management and Construction Services reviewed the pre-qualification documents based on the criteria above. Based on the evaluation results, RFT documents were issued on January 28, 2022 to the following three (3) Proponents:

- Bronte Construction
- Dynex Construction Inc.
- R & M Construction

A mandatory meeting and site tour was held on February 4, 2022. The RFT closed on February 24, 2022. Three (3) addendums were issued to respond to questions received.

The Procurement Opening Committee opened the Tenders on February 24, 2022, with the following results:

Proponent	Fee (Plus HST)
R & M Construction	\$ 1,237,914
Dynex Construction Inc.	\$ 1,282,064
Bronte Construction	\$ 2,342,899

Staff reviewed the bid received from R & M Construction against its own cost estimate and the estimate developed by the Design Consultant and has determined that the bid is of reasonable

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value and meets the requirements as outlined in the RFT documents. Therefore, it is recommended that contract No. 10036918 be awarded to R & M Construction at a total cost not to exceed \$1,237,914, 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 7 – Build partnerships and new business models

Strategy 2 – Manage our regional water resources for current and future generations

FINANCIAL DETAILS

Funds for the contract are identified in the 2022 Region of York Water Conservation Authority Joint Initiatives - Streambank Infrastructure Erosion Control Management Program budget with the City of Markham contributing funding for the pedestrian bridge replacement. The cost of executing this contract, including all staff time and associated costs to manage the project, is being tracked under account 189-35.

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Date: March 2, 2022

Attachments: 2

Attachment 1: **Project Location Map**

Attachment 2: **Site Photos**