

TORONTO TRANSIT COMMISSION REPORT NO.

MEETING DATE: September 30, 2010

SUBJECT: NOTICE OF APPROVAL
PROCUREMENT AUTHORIZATION AMENDMENT –
TRANSIT CITY LIGHT RAIL PROGRAM
EGLINTON CROSSTOWN LRT – CONSULTING SERVICES
CONTRACT TC85-1C

INFORMATION ITEM

RECOMMENDATION

It is recommended that the Commission receive the notice of approval of Chair Giambrone, Vice-Chair Mihevc and the Chief General Manager authorizing a Contract Amendment to Transit City Group Joint Venture (TCG) for Contract TC85-1C, Transit City Light Rail Consulting Services – Eglinton Crosstown LRT (ECLRT), for an additional three years in the amount of \$11,000,000.00 to include the provision for design services and support during construction for certain elements of the ECLRT, as required.

FUNDING

Funding for the provision of these services is included under various Transit City Approved Priority Projects in the TTC 2010-2014 Capital Program as amended by the Commission on October 29, 2009 and adopted by the City of Toronto Council on December 8, 2009. A total of \$448.280 million was approved for Transit City and SRT projects to cover expenditures to the end of 2010.

Funding for this contract was included under the ECLRT project. This work will be within the limits of the project (Jane Street to Kennedy Road) as announced by Metrolinx in May 2010 and Metrolinx is advancing funding to the City to cover payments on this TTC administered contract.

Payment for the professional services will be based on actual work performed at the unit rates for contract. No work will be initiated unless the funds are available and the Work Plan Releases are approved.

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BACKGROUND

At its meeting of July 14, 2010 the Commission approved the revisions and updates to the Authorization for Expenditures and Other Commitments Policy, effective August 1, 2010, which states that *'The Commission delegates authority to the Chair, Vice-Chair and the Chief General Manager to authorize items that would normally be authorized by the Commission when the approval is required before the next Commission meeting. If the Chair and/or Vice-Chair are not available, authority would be deemed to be delegated to any two (2) Commissioners and the Chief General Manager.'* These authorizations are to be followed by a notice of award Commission report that is to be submitted to the next scheduled Commission meeting for information.

The proposed ECLRT is a new light rail transit line, extending approximately 31 km between Toronto Pearson International Airport and Kennedy Road, and is comprised of street level, dedicated right-of-way track along with approximately 11 km of bored twin tunnels. The tunnels extend from Black Creek Drive in the west (West Portal) to Brentcliffe Road in the east (East Portal). The funding for the ECLRT project is provided by the Ontario Provincial Government, via Metrolinx. The Metrolinx "5 in 10" Plan announced in May 2010 contains funding for the portion of the ECLRT between Jane Street and Kennedy Road.

On January 23, 2008, the Commission authorized the award of Contract TC85-1C to TCG in the upset amount of \$1,350,000.00 as they were considered the highest rated consultant with acceptable pricing in the competitive proposal process for the Eglinton Crosstown LRT Environmental Assessment (EA). The contract was amended at various times during the EA preparation phase to account for scope changes, with the sum of the EA-related amendments totaling \$2,555,695.89. The EA portion of this contract is complete.

This contract included provisions to enable TCG, to continue with design work required to support the ECLRT project, up to and including construction support. In order for TCG to begin design work on the West Portal and on other schedule-critical elements of the project, the contract was amended in March 2010 in the amount of \$2,485,000.00 bringing TCG's total amount of authorized work to \$6,390,695.89.

Certain performance issues were encountered with TCG during the EA and development of a Project Implementation Plan. TCG was informed of the situation and their work was limited to tasks already underway. A large volume of additional work that might have been

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assigned to TCG under their contract was publicly bid instead. Since then, TCG's work has been closely monitored and there has been a marked improvement. The purpose

of this amendment is to allow the current work to advance and have TCG begin new tasks in technical areas that they can be expected to perform without difficulty. These too, will be closely monitored.

Over the last few months, ECLRT scope and schedule definition has progressed to the point where it has been determined that current design work by TCG needs to continue and that additional design should begin in September 2010 to meet the ECLRT project schedule. The design work and construction support to be covered by this amendment would be completed within a three year period, at an estimated total value of \$11,000,000.00.

A summary of the amounts discussed above is as follows:

Original Upset Limit Amount	\$1,350,000.00
Previous Amendments – EA	\$2,555,695.89
Previous Amendment – Design	\$2,485,000.00
<u>Increase this Amendment</u>	<u>\$11,000,000.00</u>
Total Upset Limit	\$17,390,695.89

DISCUSSION

Based on the provisions of Contract TC85-1C, it is recommended to amend the existing contract with TCG to allow for continuation and expansion of the design services and support during construction covering certain elements of the ECLRT project, including three critical elements of the ECLRT project as follows:

- Complete Phase 3 (final design) for the West Portal required to meet the TBM's contractual delivery date to TTC.
- Perform a project-wide utility investigation which may be influenced by the presence of major utilities.
- Begin Phase 2 (Preliminary) design on the East Portal which will result in the identification of property requirements so the property acquisition process can begin.

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JUSTIFICATION

Authorization of this amendment to Contract TC85-1C will allow Transit City Group Joint Venture to provide design and support during construction services to assist with the completion of the Eglinton Crosstown LRT project.

August 26, 2010
55-99-77

