

# TORONTO TRANSIT COMMISSION REPORT NO.

**MEETING DATE:** November 21, 2012

**SUBJECT:** ASHBRIDGES BAY MAINTENANCE AND STORAGE  
FACILITY CONTRACT ABYS1-1  
BIDDING STRATEGY

## **INFORMATION ITEM:**

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### **RECOMMENDATION**

It is recommended that the Commission receive this report for information, noting that staff intend to negotiate an acceptable contract with the only pre-qualified firm, Pomerleau Inc., for the construction of the Leslie Street Connection Track and associated utility work (Contract ABYS1-1).

### **FUNDING**

Funds for this contract are included in the 2012-2016 Capital Program, as outlined on pages 765-768 of the 2011-2015 Capital Program books. Staff will enter into discussions with Toronto Water to fund the premium for the extensive utility work that is included in the contract scope.

### **BACKGROUND**

Construction work on the Ashbridges Bay Streetcar Maintenance and Storage Facility began in April 2012, with the award of Contract WM1-1 for the construction of the facility. Contract WM1-1 is scheduled for completion in 2014.

The Ashbridges Bay project also includes the construction of the connection track on Leslie Street from the facility entrance to the existing streetcar network at Queen Street, and the associated relocation/upgrading/replacement of utilities, road restoration and implementation of streetscaping under Contract ABYS1-1. Contract ABYS1-1 was scheduled to be issued for bids in November 2012 and awarded in January 2013. Delays in awarding Contract ABYS1-1 will delay completion of the connection track past December 2014, which will impact the ability to accommodate the new streetcars.

### **DISCUSSION**

The work on Contract ABYS1-1 requires a contractor experienced in the construction of roads, utilities and streetcar/light rail infrastructure in a busy mixed residential/commercial

environment, with complex staging and schedule constraints. Due to this complexity, a Request for Pre-Qualifications (RFPO) was publicly advertised on MERX on August 2, 2012. Fifteen firms downloaded the RFPO document, out of which four responses were submitted by the closing date of September 6, 2012.

This RFPO used a revised process that included additional evaluation criteria such as safety, local experience, methodology, presentation of the work plan and a pre-qualification hold-period (addressing validity).

A Fairness Monitor was retained to provide an independent third party observation to ensure that the process adhered to the requirements established in the RFPO, and to ensure fairness and transparency during this process. The Fairness Monitor also reviewed the evaluation criteria before the RFPO was issued and they were deemed acceptable.

Firms were required to achieve a minimum score of 70 out of 100, in order to be considered pre-qualified. Of the four submissions, Pomerleau Inc. (Pomerleau) was the only firm that was pre-qualified. Staff intend to negotiate an acceptable contract with Pomerleau for the following reasons:

- As confirmed by the Fairness Monitor, the RFPO process was fair,
- This will offer the best opportunity to maintain the project schedule,
- It will enable staff to work with Pomerleau on a value engineering exercise, which will potentially identify cost effective alternatives, or changes in construction staging that may improve the project schedule and/or reduce the impact to the community, and
- Pomerleau is the contractor for the construction of the facility (Contract WM1-1). Their work to date is acceptable and further, having one contractor perform both contracts will eliminate the potential of any conflicts.

Staff will obtain independent estimates that will be used for comparison and to negotiate a price that is within an acceptable range. If staff are unable to negotiate a fair price with Pomerleau, the contract will have to be publicly tendered, which will impact the project schedule by a minimum of six months.

## **JUSTIFICATION**

Through an RFPO process that was deemed fair, one firm was identified as having the required experience to perform the work. Negotiating Contract ABYS1-1 with the one pre-qualified firm offers the best opportunity to maintain the Ashbridges Bay Maintenance and Storage Facility project schedule.

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