



STAFF REPORT ACTION REQUIRED

Procurement Authorization Easier Access Phase III Royal York Station Contract W45-6

Date:	December 20, 2016
To:	TTC Board
From:	Chief Executive Officer

Summary

The purpose of this report is to obtain authorization for the award of Contract W45-6 Easier Access Phase III Royal York Station to Maystar General Contracting Inc. (Maystar) in the amount of \$13,043,063.42, on the basis of lowest acceptable bid price.

The work under Easier Access Phase III (EA III) Royal York Station includes construction and installation of three elevators and all other associated work at Royal York Station as shown in Appendix A.

Recommendations

It is recommended that the Board authorize:

1. Award of Contract W45-6 Easier Access Phase III Royal York Station to Maystar in the amount of \$13,043,063.42 inclusive of all taxes on the basis of lowest acceptable bid price.

Financial Summary

Funds for this expenditure are included in the TTC's 2016-2025 Capital Budget under 3.9 Buildings & Structures, Easier Access Phase III Program that was approved by City Council on February 17, 2016. The EA III total project budget is approximately \$655 million of which approximately \$429 million is budgeted for the remaining stations.

Contract W45-6 qualifies for the Public Transit Initiative Fund (PTIF) and the funding under this federal program is being pursued by the TTC.

The Chief Financial & Administration Officer has reviewed this report and agrees with the financial impact information.

Accessibility/Equity Matters

The work of this contract will provide accessibility to Royal York Station. An accessible path will be provided from street level to the concourse level by one elevator and from concourse to both subway platforms with the installation of another two elevators and the associated equipment and finishes.

Issue Background

Since March 1990, the TTC has set the goal of making all subway stations accessible to people with disabilities. The EA III Program is an important part of the *2014-2018 TTC Accessibility Plan* in its objective to fulfil the provincially-legislated requirements in the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*.

Councillor and Community Outreach

In September, 2015, TTC briefed Councillor Di Ciano.

The following details were discussed:

- Project details and scope;
- Construction staging and all the steps to minimize the public impacts;
- Public Art, which will not be part of this project but will be proceed in parallel; and
- Bus loop closure for the bus loop rehabilitation and elevator construction.

The design was presented to ACAT Design Review Subcommittee on October 20, 2010 with no significant comments or concern from the committee, though changes were made to improve the design including widening the elevator lobby entrances and the in-wall openings to improve visibility.

In December 2013, a public open house was held to present and share the scope of work and details with the community.

In October 2015, a second public open house was held with regard to an art concept for this station.

The local stakeholders will be consulted in advance of the longer-term construction, and provided with additional notification. Individual meetings will be held with neighbouring stakeholders as required.

The project website is:

http://www.ttc.ca/About_the_TTC/Projects/Station_Improvements/Royal_York_Station/index.jsp

Comment

Contract W45-6 Easier Access Phase III Royal York Station provides for the work related to the supply and installation of three elevators for a barrier-free path from street level to concourse and then to platform levels, as well as structural rehabilitation of the station including the bus loop, waterproofing, joint repair at concourse level, wayfinding signage, sliding doors, and a power upgrade.

The Request for Bids specified that the bidder (including every participant of a Joint Venture, if applicable) must be Certificate of Recognition (COR™) registered, with Infrastructure Health and Safety Association (IHSA), at the time of the closing and for the duration of the term of the contract.

A Request for Bid was posted on the TTC's website and MERX on August 30, 2016. Of the 21 companies that downloaded the bid documents, eight submitted bids, which are summarized in Appendix B.

Thirteen of the 21 companies that downloaded the bid documents were general contractors and the remaining were either subcontractors or construction associations or consultants.

Matheson Constructors Limited (Matheson) submitted the lowest priced bid and did not state any exceptions or qualifications and they are COR™ registered. They have previously worked for the TTC on smaller projects. Reference checks were completed that indicate that they have not performed work of a similar size and nature in the past. One of the references relates to a project that is older than five years. In accordance with *Section 00 21 00 - Instructions to Bidders*, references are to be submitted for projects completed within the last five years. The second and the third references relate to projects that are completed within the last five years; however, they are not projects of a similar size and nature. For these reasons, Matheson is considered not qualified to perform the work.

TORCOM Construction Inc. (Torcom) submitted the second lowest priced bid and also did not state any exceptions or qualifications and they are COR™ registered. Torcom failed to submit *Section 00 43 22 - Unit Prices for Extra Work*, which is a mandatory submission requirement. Commission Services staff who received the bids were contacted and it was determined that there was no record of the missing form. In accordance with TTC's Bid Irregularities, item 13, "*Requested submission requirements not included in the Bid, in whole or in part is considered Automatic rejection if information was a mandatory requirement in the Request*". As such, the bid received from Torcom is non-compliant.

Maystar General Contractors Inc. (Maystar) submitted the third lowest priced bid and also did not state any exceptions or qualifications and they are COR™ registered.

Maystar's reference checks were completed. The first reference refers to the contract of a similar size and nature completed for the TTC and the reference is considered satisfactory. In addition, a satisfactory performance review was completed for the same project. The second reference refers to the project of a similar size and nature. Multiple attempts were made to reach the contacts for the third reference; however, no reference has been provided as of the date of preparing this

report and staff are satisfied with the two confirmed references that Maystar is qualified to perform the work. Their bid is considered acceptable and Maystar is recommended for award of contract.

Bondfield Construction Company Limited submitted the fourth lowest priced bid and also did not state any exceptions or qualifications and their bid is considered acceptable.

Buttcon Ltd. submitted the fifth lowest priced bid and also did not state any exceptions or qualifications and their bid is considered acceptable.

A bid was received from Century Group Inc., which in accordance with TTC's letter dated October 12, 2016, is restricted from being awarded any further contracts until five current contracts with the TTC have been completed and a satisfactory performance review has been issued for each of the specific contracts. Therefore, the submission received from Century Group Inc. is considered unacceptable.

The Agreement to Bond submitted by Maystar covers both a Labour and Material Payment Bond and a Performance Bond and was submitted by Zurich Insurance Company Ltd, which has been verified as a surety company licensed to transact business under the Insurance Act of Ontario. As such, they are considered financially capable of performing the work.

Maystar will be required to execute a Performance Bond and Labour and Material Payment Bond each in the amount of 50% of the contract value.

Contacts

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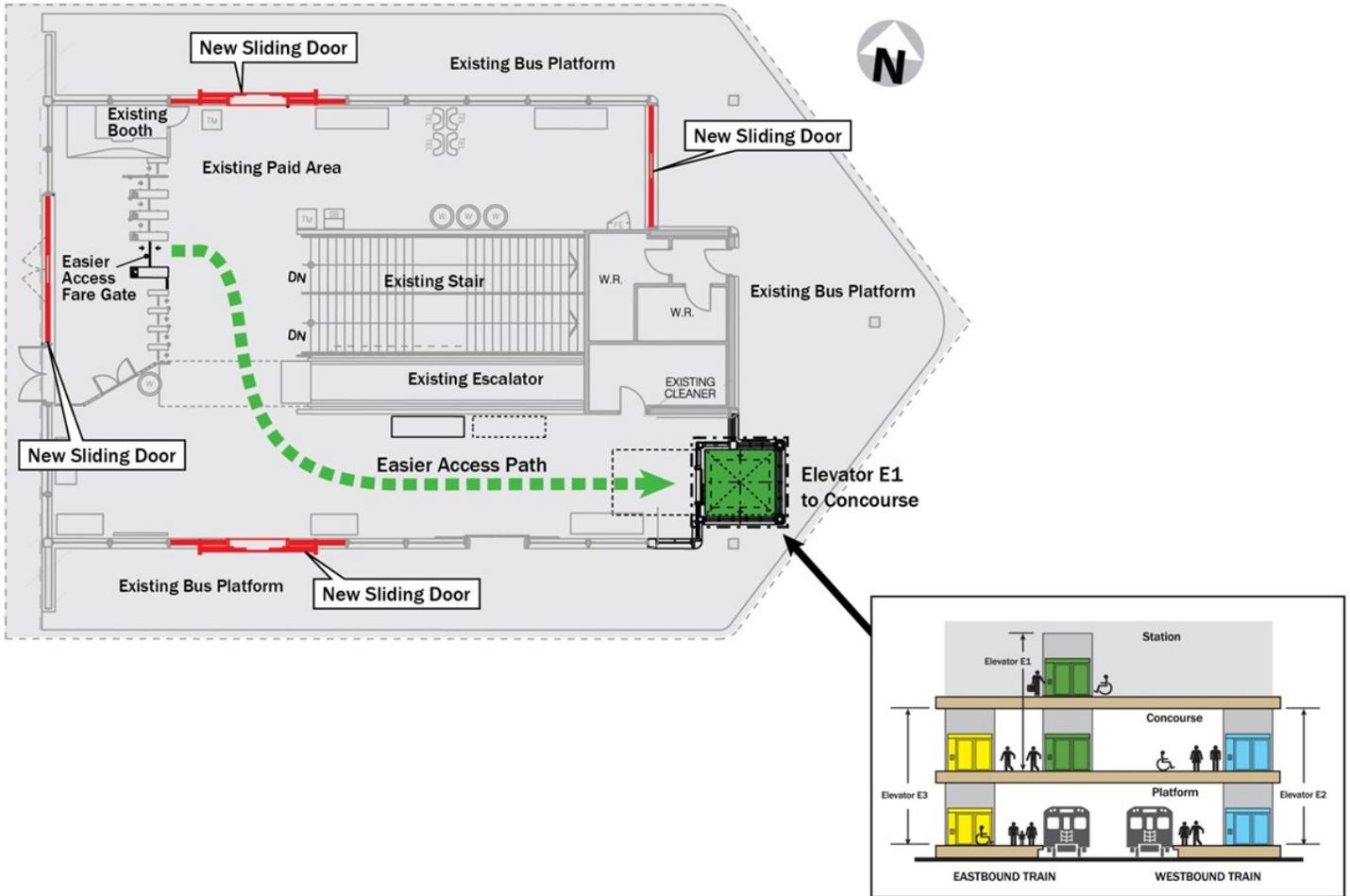
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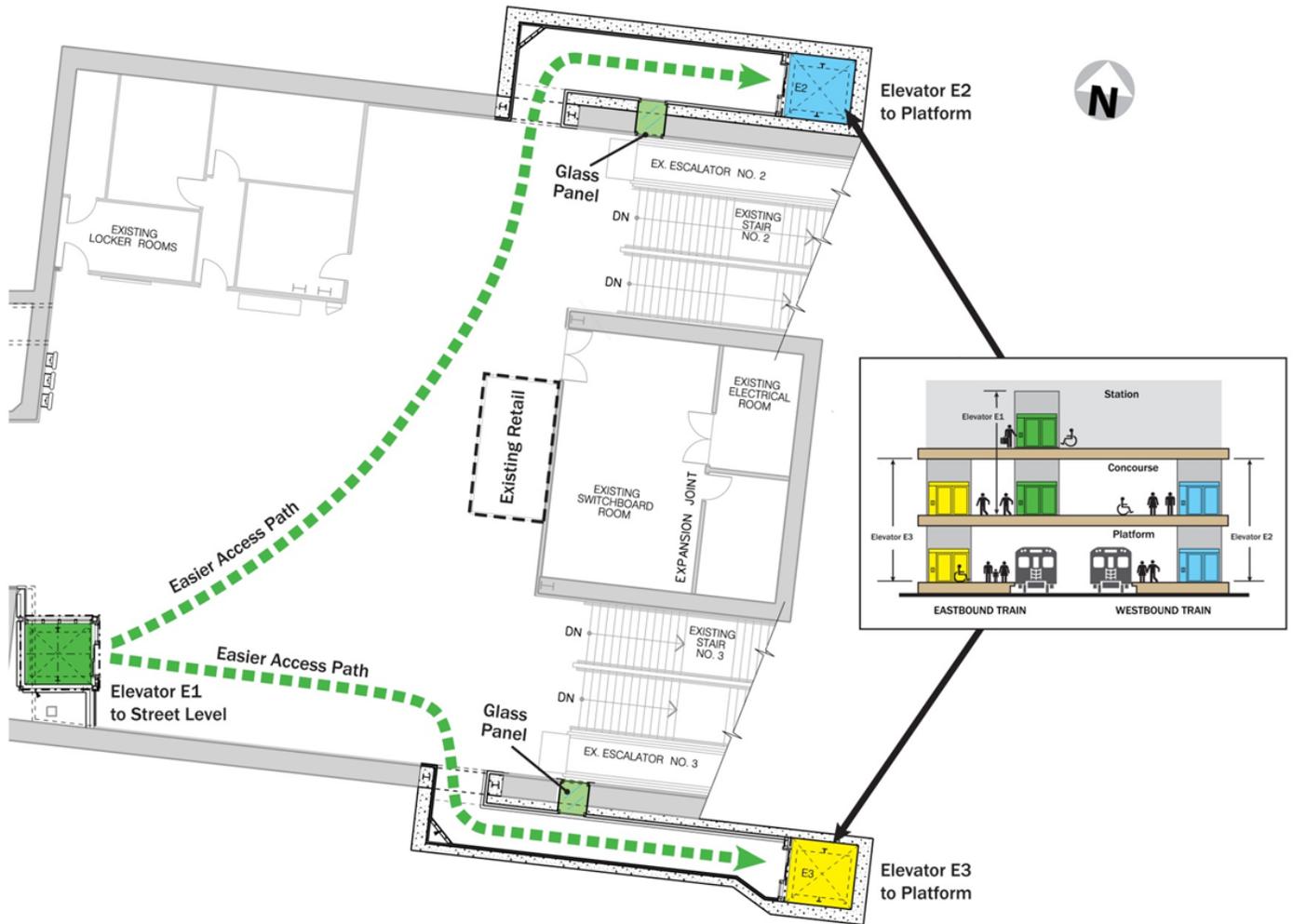
Attachments

- Appendix A
- Appendix B

**APPENDIX A
EASIER ACCESS PHASE III ROYAL YORK STATION
CONTRACT W45-6**



APPENDIX A EASIER ACCESS PHASE III ROYAL YORK STATION CONTRACT W45-6



**APPENDIX B
PROCUREMENT AUTHORIZATION
EASIER ACCESS PHASE III ROYAL YORK STATION
CONTRACT W45-6**

SUMMARY OF BIDS

Company	Total Bid Price
Maystar General Contractors Inc.*	\$13,043,063.42
Bondfield Construction Company Limited	\$13,422,140.00
Buttcon Limited	\$13,454,186.80
OHL Construction Canada Inc.	\$15,061,770.00
M.J. Dixon Construction Limited	\$16,718,350.00
Century Group Inc.**	\$11,818,875.66
Matheson Constructors Limited ***	\$11,684,200.00
TORCOM Construction Inc. ****	\$12,995,000.00

* Recommended Company

** Restriction in place until satisfactory performance review of on-going contracts

*** Not qualified based on reference checks.

**** Non-compliant bid.