



Birchmount Bus Garage – Bus Washracks Upgrade and Anti-Slip Flooring in Fuelling Lanes Area

Date: April 11, 2024
To: TTC Board
From: Chief Capital Officer

Summary

The purpose of this report is to obtain authorization for the award of Contract E3-42 Birchmount Bus Garage – Bus Washracks Upgrade and Anti-Slip Flooring in Fuelling Lanes Area to Brook Restoration Ltd. in the amount of \$6,663,709.44, inclusive of HST, on the basis of the lowest total compliant bid price.

The work under this Contract (E3-42) is comprised of all labour, equipment and materials to undertake the following:

- **Bus Washracks Upgrade:** Replacement of the existing two bus wash systems at Birchmount Garage with two new gantry bus wash systems, where the bus remains stationary, and the wash mechanism encircles the bus, to improve the quality of washes, reduce the amount of maintenance required, and provide the added capability to reduce freshwater consumption during bus washing operations.
- **Anti-Slip Flooring in Fuelling Lanes Area:** Rehabilitation of the existing floors in the fuelling service lanes of the garage. The entire floor surface and walkways for the fuelling lanes will be epoxy-coated to address potential slip hazards.

Recommendations

It is recommended that the TTC Board:

1. Authorize the award of Contract E3-42 Birchmount Bus Garage – Bus Washracks Upgrade and Anti-Slip Flooring in Fuelling Lanes Area to Brook Restoration Ltd. in the amount of \$6,663,709.44, inclusive of HST, on the basis of the lowest total compliant bid price.

Financial Summary

Contract Expenditures

Based on the expected progress of work, the contract expenditures will be incurred between 2024 and 2027, and will require the following estimated cash flow funding as presented in Table 1:

Table 1 – E3-42 Birchmount Bus Garage – Bus Washracks Upgrade and Anti-Slip Flooring in Fuelling Lanes Area Expenditure Forecast

	2024 Forecast	2025 Forecast	2026 Forecast	2027 Forecast	Total Contract Amount
Construction Expenditure (without HST)	29	2,425	3,015	428	5,897
Non-Rebatable HST 1.76%	1	43	53	8	104
Total Construction Expenses	30	2,468	3,068	436	6,001
Rebatable HST	3	273	339	48	663
Total Authority, including HST	33	2,740	3,407	484	6,664

(In thousands)

Capital Funding:

Funds for this expenditure are included in the TTC's 2024-2033 Capital Budget and Plan under Program 3.2 Equipment, Bus Washracks Project, State of Good Repair, which was approved by the TTC Board at its meeting on December 20, 2023 and City Council on February 14, 2024. The 10-Year Capital Plan includes a total of \$11.284 million for the Bus Washracks Project, comprising annual cash flow funding, as presented in Table 2 below:

Table 2: 2024-2033 Capital Budget and Plan – Bush Washracks

Project Name	2024 Budget	2025	2026	2027	2028	2029-2033	10-Year Total
Bus Washracks	56	4,641	5,769	819			11,284

(In thousands)

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

Equity/Accessibility Matters

As a proud leader in providing accessible public transit in the City of Toronto, the TTC is committed to ensuring accessible, reliable, safe, and inclusive transit services for all our customers. TTC staff have reviewed the work of this contract and assessed that this contract does not reduce accessibility or create barriers to customers, employees, and the communities that use or surround Birchmount Bus Garage.

Decision History

No prior decision history.

Issue Background

Birchmount Bus Garage is located at 400 Danforth Rd., in Scarborough. Currently, 222 buses are stored and maintained at the garage, and an average of 160 buses are washed every night.

The existing bus wash systems at the garage, which utilize a drive-through rotating brush system, were installed in 1999 and have exceeded their 20-year life expectancy, resulting in inadequate exterior wash quality, particularly during the winter season. Due to heavy usage, the maintenance of these bus wash systems is becoming increasingly complex, with the need for frequent repairs and the replacement of various components. These wash systems are past their intended life cycle and have received numerous repairs over the years.

The replacement of the bus wash systems at Birchmount Garage also includes the replacement of an existing structural trench, concrete floor slabs, and guide rails in each wash bay, and will provide the required level of wash quality, minimize maintenance requirements, and provide the ability to reduce freshwater consumption during bus washing operation.

To maintain safety of the TTC workforce in the fuelling service area of the garage, the lanes and walkways will be rehabilitated to address ongoing deterioration and potential trip hazards. The entire floor surface and walkways in the fuelling service area will be epoxy-coated to address potential slip hazards.

The upgrades, replacement, and rehabilitation under Contract E3-42 will be phased and facilitated to ensure minimal impacts on the daily operations, and to the TTC workforce at the garage.

Comments

The bid documents were prepared for Contract E3-42 and a Request for Bids (RFB) was posted on the MERX website as of November 9, 2023. During the bid period, eight addenda were issued. A total of 15 companies downloaded copies of the bid documents. Six companies submitted a bid by the closing date of January 19, 2024. The bid validity expires on May 18, 2024.

The RFB stated that the Bidders must possess a valid Certificate of Recognition (COR™) as issued by the Infrastructure Health and Safety Association (IHSA), at the time of the bid closing and for the duration of the contract.

Brook Restoration Ltd. (Brook) submitted the lowest-priced bid and did not state any exceptions or qualifications. However, during the bidding process, Addendum 1 was issued to change the bid validity to 120 calendar days from 90 calendar days. Brook Restoration Ltd. submitted its bid on the Addendum 1 form thereby confirming its bid was valid for 120 days, but failed to submit its Bid Bond on the Addendum 1 form, hence their Bid Bond is valid for 90 days. As per Bid Irregularities, Item 11 – failure to acknowledge in the bid that all addenda form part of the submission in the bid results in an automatic rejection, unless the failure would not have a material impact on the intent of the contract as determined at the sole discretion of the TTC's Head of Procurement and Category Management (PMC). A legal opinion was sought and it was determined that this does not materially impact the intent of the contract as the bid is still within the 90-day period and has not expired and the Head of PCM concurred with this assessment.

Five references were provided by Brook and reference checks completed by staff demonstrated that Brook has satisfactorily completed work of a similar size and nature in the past. Brook is COR™ certified with IHSA, as specified in the Bid Documents and their bid is considered commercially acceptable and is recommended for award.

Pegah Construction Ltd. (Pegah) submitted the second lowest-priced bid and did not state any exceptions or qualifications. However, during the bidding process, Addendum 4 was issued to change the List of Similar Contracts Completed to 10 years from five years, but Pegah failed to submit their list on the Addendum 4 form. The projects that Pegah submitted all fall within the 10-year completion timeframe, and therefore, still meets the requirements of Addendum 4. A legal opinion was sought and it was determined that this does not materially affect the intent of the contract and the Head of PCM concurred with this assessment. Pegah is COR™ certified with IHSA as specified in the Bid Documents and their bid is considered commercially acceptable.

Maystar General Contractors Inc. (Maystar) submitted the third lowest-priced bid and did not state any exceptions or qualifications. Maystar is COR™ certified with IHSA as specified in the Bid Documents and their bid is considered commercially acceptable.

The Agreement to Bond submitted by Brook Restoration Ltd. covers both a Labour and Material Payment Bond and a Performance Bond and was submitted by Liberty Mutual Insurance Company, who have 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.

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

Contact

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Signature

Gary Downie
Chief Capital Officer

Attachments

Appendix A – Summary of Bids

03075-1933650224-32

APPENDIX A: SUMMARY OF BIDS

Contract E3-42, Birchmount Bus Garage – Bus Washracks Upgrade and Anti-Slip Flooring in Fuelling Lanes Area

Summary of Bids:

Bid No.	Bidder	Total Bid Price
1	Brook Restoration Ltd.*	\$6,663,709.44
2	Pegah Construction Ltd.	\$7,003,625.87
3	Maystar General Contractors Inc.	\$7,424,100.00
4	Duron Ontario Ltd.	\$7,960,141.49
5	Alpeza General Contracting Inc.	\$9,251,897.60
6	EllisDon Civil Ltd.	\$10,167,740.00

*Recommended Company