



Procurement Authorization – Wilson Yard Fire Route – On-Grade Pavement Rehabilitation

Date: July 17, 2024
To: TTC Board
From: Chief Capital Officer

Summary

The purpose of this report is to obtain authorization to award Contract C60-25, Wilson Yard Fire Route On-Grade Paving Rehabilitation to Maystar General Contractors Inc. in the amount of \$9,639,465.00, inclusive of HST, based on the lowest total compliant bid price.

The work of this contract consists of the supply of all labour, equipment and material to rehabilitate the on-grade pavement at Wilson Yard and Fire Route as well as localized upgrades to the underground utilities.

Recommendations

It is recommended that the TTC Board:

1. Authorize the award of Contract C60-25 for Wilson Yard Fire Route On-Grade Paving Rehabilitation to Maystar General Contractors Inc. in the amount of \$9,639,465.00, inclusive of HST, on the basis of the lowest total compliant bid price.

Financial Summary

Table 1 below summarizes the annual expenditure forecast over the total Contract term:

Table 1 – C60-25 Wilson Yard Fire Route On-Grade Pavement Rehabilitation Contract Expenditure Forecast by Year and Total Term (\$000s):

	2024 Forecast	2025 Forecast	2026 Forecast	Total Contract Amount
Construction Expenditure (without HST)	861.8	2,798.7	4,870.3	8,530.9
Non-Rebatable HST 1.76%	\$15.2	\$49.3	\$85.7	\$150.1
Total Construction Expenses	\$877.0	\$2,848.0	\$4,956.0	\$8,681.0
Rebatable HST	\$96.9	\$314.6	\$547.4	\$958.9
Total Authority, including HST	\$973.9	\$3,162.6	\$5,503.4	\$9,639.9

Funds for this expenditure are included in the TTC’s 2024-2033 Capital Budget and Plan under Program 3.3, On-Grade Paving Rehabilitation, which was approved by the TTC Board at its meeting on December 20, 2023 and by City Council on February 14, 2024.

The 10-Year Capital Plan includes a total of \$124.2 million in approved funding for the On-Grade Paving Rehabilitation Program, comprising of the following annual cash flow funding, as presented in Table 2:

Table 2 – 2024-2033 Capital Budget and Plan – 3.3 On-Grade Paving Rehabilitation Program Funding (\$000s)

Project Name	2023 LTD	2024	2025	2026	2027	2028-2033	10-Year Total	Estimated Final Cost
On-Grade Paving Rehabilitation Program	140,299	9,288	12,861	13,993	6,418	81,611	124,171	264,469

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 it does not reduce accessibility or create barriers to customers, employees, and the communities that use Wilson Yard.

Issue Background

Wilson Yard is the main storage and maintenance facility for the subway vehicles on Line 1 Yonge-University. The Toronto-York Spadina Subway Extension north of Sheppard West Station to the Vaughan Metropolitan Centre (VMC) has intensified the use and operational demands on this facility.

Contract C60-25 was initiated partly to address a need to construct a code-compliant fire access route that complies with the Ontario Building Code, Municipal Code Chapter 880, and Toronto Fire Services requirements. The scope of this contract includes the reconstruction of the fire route and the permanent restoration of other areas of the yard that were temporarily paved during the expansion of the Wilson Yard. The scope also includes localized improvements to the underground utilities at paved areas. Areas to be repaved were chosen based on a visual assessment of cracked and deteriorated pavement, and the areas were further reassessed following the completion of geotechnical studies. No interruption of the day-to-day operation of the yard is expected.

Comments

The Bid documents were prepared for Contract C60-25 and a Request for Bids (RFB) was posted on the TTC's website and MERX as of April 29, 2024. Eighteen companies downloaded copies of the bid documents. During the bid period, two addenda were issued. Eight out of 18 companies submitted a bid by the closing date of June 4, 2024, and the bid results are summarized on the attached Appendix A. The bid validity expires on October 2, 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.

Upon bid closing, staff confirmed all eight Bidders possess a valid COR™ as issued by the IHSA and none of the Bidders stated any exceptions or qualifications to the terms set out in the RFB.

Clearway Construction Inc. (Clearway) failed to provide all of the mandatory pricing resulting in an incomplete bid. In accordance with the TTC's Bid Irregularity Policy item 3 – Incomplete Bids (Part bids – all items not bid), Clearway's bid is deemed to be non-compliant.

Maystar General Contractors Inc. submitted the lowest-priced compliant bid. Five reference checks were completed that confirmed Maystar has satisfactorily performed work of a similar size and nature in the past. As such, Maystar is recommended for award on the basis of submitting the lowest-priced commercially compliant bid.

The remaining six Bidders submitted higher-priced bids as compared to Maystar in the following ascending order:

- Sanscon Construction Ltd.
- Duron Ontario Ltd.
- EllisDon Civil Ltd.
- Brennan Paving & Construction LTD.
- Blackstone Paving & Construction Limited.
- Brook Restoration Ltd.

It should be noted Brennan Paving & Construction LTD (Brennan) did not utilize the Bid Form issued via Addendum 2. However, as they were not the lowest Bidder, a determination of whether their bid was compliant was not pursued further.

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., who have been verified as a Surety Company licensed to transact business under the Insurance Act of Ontario (see Attachment A). As such, they are considered financially capable of performing the work.

The successful Bidder will be required to execute a Performance Bond and a 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

APPENDIX A

Procurement Authorization – Wilson Yard Fire Route – On-Grade Pavement Rehabilitation

Summary of Bids:

Bid No.	Bidder	Total Bid price
1	Maystar General Contractors Inc. *	\$9,639,465
2	Sanscon Construction Ltd.	\$9,863,336
3	Duron Ontario Ltd.	\$10,452,500
4	EllisDon Corporation	\$10,478,535
5	Brennan Paving & Construction Ltd.**	\$11,735,038
6	Blackstone Paving & Construction Limited	\$11,745,035
7	Brook Restoration Ltd.	\$12,063,283
Non-Compliant Bidders		
Clearway Construction Inc.***		N/A

*Recommended for award.

** Bidder did not submit the correct Bid Form issued per Addendum No. 2; compliancy was not assessed as they were not the lowest Bidder.

***Apparent low Bidder, deemed not compliant as a result of failure to provide all mandatory pricing.