

6

CONSULTANT SELECTION FOR ENGINEERING SERVICES NINTH LINE DETAILED DESIGN TOWNS OF MARKHAM AND WHITCHURCH-STOUFFVILLE (REQUEST FOR PROPOSAL P-08-100)

The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report dated January 23, 2009, from the Commissioner of Transportation Services.

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council authorize proceeding with the detailed design for road improvements on Ninth Line (Y.R. 69) from Major Mackenzie Drive (Y.R. 25) to north of Main Street, in the Towns of Markham and Whitchurch-Stouffville.
2. Regional Council authorize retaining the consulting firm of SNC-Lavalin Inc., to undertake the detailed design of road improvements on Ninth Line (Y.R. 69) from Major Mackenzie Drive (Y.R. 25) to north of Main Street, in the Towns of Markham and Whitchurch-Stouffville, at a cost not to exceed \$1,674,483 excluding GST.
3. The Region enter into a contract with SNC-Lavalin Inc., setting out the terms of the retainer, as set out in this report.
4. The General Manager of Roads be authorized to execute the contract subject to the approval of Legal Services as to form and content.

2. PURPOSE

This report is to recommend the award of a consulting assignment for the detailed design of Ninth Line from Major Mackenzie Drive to Main Street in the Towns of Markham and Whitchurch-Stouffville. A location plan is appended to this report (*see Attachment 1*).

In compliance with the Region's Purchasing By-law, Council approval is required for an award when a Request for Proposal has been issued and the successful proponent:

- Was not the lowest competitive bid.
- Submitted a fee plus taxes over \$500,000.

3. BACKGROUND

The approved 2009 10-year Roads Construction Program has Ninth Line improvements between Major Mackenzie Drive and Main Street scheduled in 2010 and intersection improvements at Ninth Line and Main Street scheduled in 2013.

The Regional Municipality of York initiated a Schedule “C” Class Environmental Assessment in 1998 for roadway improvements on Ninth Line from Highway 407 to north of Main Street in the Towns of Markham and Whitchurch-Stouffville. The Ninth Line Class Environmental Assessment (EA) was completed in August 1999 and received clearance in September 1999. The Class EA recommended road widening from two to four lanes between Highway 407 and Major Mackenzie Drive, two-lane reconstruction between Major Mackenzie Drive and Main Street and intersection improvements including jog eliminations and traffic signals.

In 2000-2001 the installation of traffic control signals and intersection improvements were carried out at the westerly Ninth Line/Main Street intersection in Stouffville. Widening of Ninth Line to four lanes between Rose Way and Donald Cousens Parkway was completed in 2007. The completion of the widening of Ninth Line to four lanes between Highway 407 and Rose Way is now underway.

Ninth Line Class Environmental Assessment Report Addendum North of Major Mackenzie Drive

Subsequent to the 1999 Ninth Line Class EA, the Town of Whitchurch-Stouffville amended its Official Plan in 2004. This resulted in a significant change in the population projection within the community of Stouffville from 13,500 to 35,000 people and significant growth has indeed occurred in Stouffville over the last few years. These changes prompted a need to review the 1999 Class EA for the section north of Major Mackenzie Drive.

A Class EA Addendum was initiated in early 2007 and completed in November 2008. The Addendum resulted in the following additional recommendations:

- Ninth Line from Major Mackenzie Drive to south of Main Street be widened to four lanes.
- The jog of Ninth Line at Main Street be eliminated.

The Class EA Addendum was completed and placed for a 30-day public review period from November 4, 2008 to December 4, 2008.

One Part II Order Request was Received by the Minister of the Environment

At the completion of the public review period, the Ministry of the Environment (MOE) advised that one Part II Order had been requested. The Part II Order request relates to

concerns that widening of Ninth Line north of Major Mackenzie Drive will significantly increase traffic on Ninth Line south of 16th Avenue.

Staff engaged the Part II Order requestors during the course of the Ninth Line Class EA Addendum and worked to address their concerns through detailed transportation assessments, multiple meetings and exchange of correspondence. During the course of the Class EA Addendum, staff provided the requestors with detailed transportation findings and conclusions. These findings indicated that the incremental traffic increase south of 16th Avenue due to widening Ninth Line north of Major Mackenzie Drive from two to four lanes would not be significant. The Part II Order requestors have maintained that the transportation results are not correct and that significant incremental traffic increases will occur on Ninth Line south of 16th Avenue.

Staff have liaised with MOE in an attempt to resolve the outstanding concerns. On January 12, 2009, a formal response from Regional staff to the Part II Order request was sent to MOE. Staff have attempted to convey to both the MOE and to the requestors all of the analysis data which confirms the need for the recommended improvements and how the appropriate demonstration of this was included in the submission, thus satisfying the Region's obligations as the Class EA proponent.

Proceed with the Award of the Detailed Design Assignment to Avoid Project Delays

The approved 2009 10-year Roads Construction Program has Ninth Line improvements between Major Mackenzie Drive and Main Street scheduled in 2010 and intersection improvements at Ninth Line and Main Street scheduled in 2013. In order to ensure that the Ninth Line improvements are implemented by the planned program years, the detailed design of the recommended Ninth Line improvements, as documented in the Class EA Addendum, should commence by early 2009 to avoid project implementation delays.

These road improvements are necessary as the existing two lanes on Ninth Line between Major Mackenzie Drive and Main Street are currently operating near capacity during the peak travel periods. Further, as the existing Ninth Line roadway between Major Mackenzie Drive and Main Street does not meet current regional standards, the implementation of the recommended improvements will enhance road user safety and will provide for future municipal development requirements and priorities.

There is minimal risk in proceeding with the Ninth Line detailed design before a decision is rendered by MOE on the Part II Order request. Should MOE grant the Part II Order and/or ask the Region to undertake additional environmental assessment analyses, it is anticipated that the majority of the early stages of detailed design work would remain valid and necessary for any future improvements.

In order to minimize such risks, Regional staff propose to continue to monitor the situation relative to the request for a Part II Order, and make appropriate adjustments to the detailed process and/or schedule in the event that an MOE decision is either significantly delayed or unfavourable to the project.

Ninth Line Detailed Design

The current assignment is for the detailed design of the widening of Ninth Line to four lanes between Major Mackenzie Drive and Hoover Park Drive and three lanes between Hoover Park Drive and north of Main Street (Rupert Avenue). The detailed design also includes intersection improvements at Major Mackenzie Drive, Elgin Mills Road, 19th Avenue and Main Street. In addition, the detailed design will include:

- Improvements to the alignment of Ninth Line within the assignment limits.
- Drainage improvements, including replacement of CSP cross culverts, concrete culvert extensions/replacements where required to accommodate the proposed widening and the implementation of stormwater management measures.
- Rehabilitation of existing pavement.
- Entrance modifications and/or realignments.
- Modifications to existing traffic signals to suit the revised intersection configurations.
- Development of environmental mitigation and compensation strategies.
- Design work necessary for all permits, approvals and clearances.

4. ANALYSIS AND OPTIONS

In accordance with the Regional Purchasing By-law, interested firms, as selected from Expression of Interest No. 08-66, Project ID No. 17, were invited to submit proposals for the assignment. A short-list of consultants, with expertise in road planning and design, natural environmental sciences and structural engineering, were invited to submit proposals. This report identifies the preferred consultant for the assignment and the upset limit fees.

Proposals were evaluated using a two-envelope system. This system requires the project proposal and the fee to be submitted in two separate envelopes. The technical proposal envelopes were opened first and evaluated using the following criteria:

- Project plans that discuss the scope, schedule, quality, team resources and experience and communications.
- Project management that includes quality assurance.
- Project implementation that includes project understanding, approach and methodology, key project issues, and value and innovation of services.

It should be noted the RFP process used for this project did not require a minimum Technical Score be achieved in order for the Financial Proposal to be considered.

The fee envelopes were then opened for the proposals meeting the technical requirements. The proposed fees were converted to a score and then weighted along with the technical criteria to determine an overall score.

Technical and Financial Evaluation Summary

The proponents, their technical scores and proposed upset limit fees are presented in Table 1 below:

Table 1
Evaluation Summary

Firm	Technical Score (out of 80)	Upset Fee (Excluding GST)	Financial Score (out of 20)	Total Source (out of 100)
SNC-Lavalin Inc.	62.1	\$1,674,483	14.1	76.2
Morrison Hershfield Limited	43.1	\$1,453,159	16.3	59.4
Genivar Consultant LP	36.3	\$1,183,886	20.0	56.3

The technical proposals were evaluated based on the evaluation criteria summarized in the Request for Proposal P-08-100. The technical proposal from SNC-Lavalin Inc. received the highest technical score because it was the most thorough proposal illustrating better understanding of the key issues and details of the Ninth Line project. This will allow the project to proceed expeditiously, as this team has demonstrated a superior understanding of the unique project requirements, and the overall services and products will meet York Region expectations as detailed in their proposal.

The technical proposals from Genivar Consultant LP and Morrison Hershfield Limited were scored lower because they were not as thorough in the areas of project deliverables and discussion of key project issues as the proposal from SNC-Lavalin Inc.

The review panel identified significant concerns and shortcomings in the proposal submitted by Genivar Consultant LP in the key areas of project understanding, scope and level of effort. In addition, their proposal did not incorporate the requirements for evaluating further improvements at the Sunset Boulevard intersection to enhance road user and pedestrian safety. The allocation of staff time and descriptions of key processes for controlling project teamwork, addressing quality control and quality assurance and managing schedule/budget changes did not meet expectation. Further, the proposal lacked an understanding of the need to engage adjacent residents and involve them in the design process to adequately understand their concerns and mitigate potential impacts. All of these issues raise concern that Genivar Consultants LP do not fully understand the scope

and complexity of this assignment and there is high probability of cost overruns and disputes for additional fees.

The highest total score, which comprised the combination of both technical and financial scores, was received by SNC-Lavalin Inc. Therefore, the SNC-Lavalin Inc. proposal, with the highest total score of 76.2 represents the best value for the Region on this assignment.

The Supplies and Services Branch have reviewed the evaluation summary and have issued their internal report confirming that SNC-Lavalin Inc. be recommended as the successful overall proponent for the Ninth Line detailed design assignment under Request for Proposal P-08-100.

5. FINANCIAL IMPLICATIONS

The upset limit fee for the detailed design is \$1,674,483, excluding GST. Funding for the project is included in the Region's approved 2009 10-Year Roads Construction Program.

6. LOCAL MUNICIPAL IMPACT

The proposed road improvement project is required to address the transportation needs and to accommodate growth in the Region; specifically in the Towns of Whitchurch-Stouffville and Markham. The project will address improving traffic safety and operations for the travelling public within the Regional and local road network.

The municipalities acknowledged the need for the proposed Ninth Line improvements and the Town of Whitchurch-Stouffville has requested implementation of the Ninth Line improvements, especially the Ninth Line re-alignment north of Main Street, to occur as early as possible. Throughout the course of the detailed design assignment, Regional staff will work closely and cooperatively with staff from the Towns of Markham and Whitchurch-Stouffville to accommodate any municipal requirements to meet local priorities.

7. CONCLUSION

The Class Environmental Assessment Addendum for Ninth Line from north of Major Mackenzie Drive to north of Main Street has confirmed that the previously recommended improvements in the 1999 Ninth Line Class EA are still required (i.e. jog elimination of the Major Mackenzie Drive and Elgin Mills Road with Ninth Line) and recommended the widening of Ninth Line from two to four lanes north of Major Mackenzie Drive, jog elimination of 19th Avenue with Ninth Line, and re-alignment of Ninth Line north of Main Street with the Main Street intersection improvement. The Ninth Line

improvements will provide improved traffic safety and operation for the travelling public and provide sufficient roadway capacity for future demands resulting from planned growth within the Community of Stouffville.

The Ninth Line detailed design assignment must commence to permit the implementation of the improvements as programmed in the approved 2009 10-Year Roads Construction Program.

Three consultant proposals for provision of professional engineering services were evaluated in accordance with the Regional Purchasing By-law and the proposal from SNC-Lavalin Inc. represents the best overall value to York Region. It is recommended that the Ninth Line Detailed Design assignment be awarded to SNC-Lavalin Inc. as the successful proponent under Request for Proposal P-08-100.

For more information on this report, contact Paul Jankowski, extension 5901, General Manager, Roads Branch in the Transportation Services Department.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause was included in the agenda for the February 4, 2009 meeting.)