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CONSULTANT SELECTION FOR ENGINEERING SERVICES DETAILED DESIGN OF BATHURST STREET CITY OF VAUGHAN AND TOWN OF RICHMOND HILL (REQUEST FOR PROPOSAL P-09-73)

(Regional Council at its meeting on November 19, 2009, directed staff to re-issue the request for proposal and report back to the Transportation Services Committee). (See Council Minute No. 173)

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

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council authorize staff to retain the consulting firm Delcan Corporation, to undertake the detailed design for road improvements on Bathurst Street (Y.R. 38) from Highway 7 (Y.R. 7) to Major Mackenzie Drive (Y.R. 25), in the City of Vaughan and Town of Richmond Hill, at a cost not to exceed \$1,787,450.12 excluding GST.
2. The Commissioner of Transportation Services be authorized to execute the contract, subject to terms and conditions acceptable to the Commissioner of Transportation Services and the Regional Solicitor's approval as to form and content.

2. PURPOSE

This report recommends the award of the consulting assignment for the detailed design for road improvements on Bathurst Street from Highway 7 to Major Mackenzie Drive, in the City of Vaughan and the Town of Richmond Hill. A location plan is appended to this report (*see Attachment 1*).

The consulting firm recommended has not submitted the lowest competitive bid and the fee plus taxes is over \$500,000. Accordingly, in compliance with the Region's Purchasing By-law, Regional Council approval is required for an award when a Request for Proposal has been issued and the bidder with the highest score is:

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

3. BACKGROUND

York Region's Transportation Master Plan identified future road network needs in the area of the Bathurst Street corridor between Highway 7 and Teston Road/Elgin Mills Road. The approved 2009 10-Year Roads Construction Program has scheduled the implementation of improvement works on Bathurst Street as follows:

- Highway 7 to Major Mackenzie Drive – 2011.
- Major Mackenzie Drive to Teston Road/Elgin Mills Road – 2015.

Environmental Assessment Clearance

A Class Environmental Assessment Study (Class EA) for the improvements of Bathurst Street from Highway 7 to Teston Road/Elgin Mills Road was completed in June 2009 and received Environmental Assessment clearance in July 2009.

York Region plans to initiate the implementation phase of the Class EA planning process with the detailed design and construction of road improvements for Bathurst Street from Highway 7 to Major Mackenzie Drive.

Project Description

Bathurst Street, between Highway 7 and Major Mackenzie Drive is an arterial urban road running north-south and representing the boundary between the City of Vaughan and the Town of Richmond Hill.

Within the project limits, Bathurst Street has four (4) lanes, a continuous left turn lane, 14 intersecting roads and a connection to Highway 407 immediately to the south of Highway 7. The area is serviced by York Region Transit through several bus routes.

Bathurst Street traverses the East Don River watershed and the Patterson Creek sub watershed, having five (5) watercourse/culvert crossings within the project limits. All crossing creeks and watercourses are tributaries to the Don River. Some notable natural environmental features within the project limits are:

- Baker's Woods – located at the south west of the project limits, this sugar bush forest is partially owned by Toronto and Region Conservation Authority (TRCA) and has been designated as an Area of Natural and Scientific Interest (ANSI).
- Forested valley – located south of Major Mackenzie Drive, has been identified as an Environmental Significant Area (ESA).
- Redside Dace fish species presence within the Patterson Creek.

Project Purpose

The purpose of this assignment is to complete the detailed design for improvements on Bathurst Street from Highway 7 to Major Mackenzie Drive in accordance with the recommendations of the Environmental Study Report (ESR). The proposed road improvements include:

- Upgrade to a six (6)-lane cross section, including Transit/HOV and bicycle lanes.
- Full illumination and sidewalks.
- Enhanced landscaped centre median.
- New storm water systems.
- Culvert replacements.

4. ANALYSIS AND OPTIONS

The first phase of the procurement process was to issue RFQ P-07-43

The first phase of the procurement process for consulting engineering services included the Supplies and Services Branch issuing Request for Qualifications (RFQ) for Engineering Services No. P-07-43. The purpose for issuing this RFQ was to solicit interest from as broad a market for engineering services as possible. In response to RFQ P-07-43, ten (10) engineering consulting firms expressed interest in this project and submitted their qualifications and proposed team members. These ten submissions were evaluated and scored based on our standard criteria, which includes:

- Project Manager experience.
- Team completeness and experience with York Region projects.
- Industry experience of key project lead members.
- York Region needs and team availability.
- References.
- Added value.

The second phase of the procurement process was to issue RFP P-09-73 to the three highest scoring firms

The second phase of the procurement process was for the Supplies and Services Branch to issue Request for Proposal (RFP) No. P-09-73 to the three firms who achieved the highest score on RFQ P-07-43. The three firms invited to submit a proposal in response to RFP P-09-73 were:

- Delcan Corporation.
- Morrison Hershfield Limited.
- URS Canada Inc.

It is our practice to invite only the top three scoring firms to submit a proposal because this results in significantly higher quality and completeness of the submissions. Further, through our ongoing consultation with the Consulting Engineers of Ontario and individual firms it has been communicated that the top performing firms are reluctant to participate when five or more firms have been invited because the overall quality of the Technical Proposals is reduced and selection is mainly price driven.

Proposals were received from each of the three firms in response to the RFP.

The third phase of the procurement process was evaluate the proposals using a two envelope system

The two envelope system requires the technical proposal and the financial proposal be submitted in two separate envelopes. The proposals were evaluated based on a weighting of 80% for the technical component and 20% for the fee component.

The allocation of 80% for the technical component and 20% for the fee component has been our practice for several years. The reason for this split is to recognize the relative importance to the Region of retaining best available professional services yet demonstrate fiscal prudence. This attention to fiscal prudence is further demonstrated in our RFP process by the “Dollar Cost per Technical Point” methodology, which applies when the Total Scores of two or more firms are within 5 points of each other.

The technical proposals were opened first and evaluated using the following criteria:

- Qualifications and experience of the Project Team, including project manager, technical support staff and sub-consultants.
- Project deliverables, including project plan, schedule and budget control, staff allocation and quality assurance.
- Project implementation, including project understanding, approach and methodology, key project issues and value and innovation of services.

A Technical Score was then calculated for each proponent.

The financial proposals were then opened and evaluated. A Financial Score was calculated for each proponent.

The Technical Score, weighted at 80%, and the Financial Score, weighted at 20%, were combined for a Total Score.

Technical and Financial Evaluation Summary

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

Table 1
Evaluation Summary

Firm	Technical Score (out of 80)	Upset Fee (Excluding GST)	Financial Score (out of 20)	Total Score (out of 100)
Delcan Corporation	69.8	\$1,787,450.12	8.7	78.4
Morrison Hershfield Limited	41.7	996,754.00	15.6	57.3
URS Canada Inc.	51.2	775,000.00	20.0	71.2

The proposal from Delcan Corporation achieved the highest Total Score in response to RFP P-09-73

The proposal from Delcan Corporation (Delcan) received the highest Technical Score and the highest Total Score.

Delcan's proposal received the highest technical score because:

- The submission was comprehensive and logical demonstrating a thorough understanding of the project issues, known and potential challenges and approach to successfully complete the detailed design.
- The description of project delivery framework reflected integrated project management practices and committed to the development of a project specific work plan.
- The overall work plan was commensurate with the size and complexity of this project.
- Key project team members have been involved in the past with a number of York Region projects of similar scale and nature.
- It included a detailed, realistic and complete project schedule incorporating individual components and reasonable review times for agencies and internal approvals.
- It provided commensurate attention to environmental issues associated with the presence of Redside Dace habitat.
- It demonstrated good appreciation of road drainage challenges, specifically with regards to the limitations of using oil grit separators and existing storm water management ponds.
- It presented a detailed, comprehensive and project specific work program for the preparation of an environmental management plan.
- It presented a detailed approach to noise mitigation design.
- It presented a detailed approach for implementing streetscaping and landscaping design.
- The time-task matrix presented an adequate resource allocation plan reflecting a full understanding and commitment of the resources to complete the full scope of work and included numerous tangible project deliverables.

The proposal from URS Canada Inc. had many significant shortcomings which resulted in the lower Technical Score

URS Canada Inc.'s (URS) proposal received a lower Technical Score because of several significant shortcomings, including:

- Deviations from the requirements specified in the RFP were shown, including reducing the extent of the utility subsurface investigations, which presents potential for significant cost escalation during construction.
- The noise mitigation plan was deficient and there was no discussion regarding the significant challenges and effort involved with the implementation of the noise mitigation recommendations.
- The streetscaping plan was not sufficient and did not demonstrate a thorough understanding of the effort and detail required to integrate a road widening project for Transit/HOV into existing neighbourhoods and public realm.
- There was no evidence the designate Project Manager had any experience with York Region projects.
- The level of detail provided in the proposed schedule was not commensurate with a project of this nature and raised concern about the level of understanding on the project requirements.

5. FINANCIAL IMPLICATIONS

The upset limit fee for the detailed design is \$1,787,450.12 excluding GST. This amount exceeds by approximately \$794,000 what was originally approved for this project in the 2009 10-Year Roads Construction Program. The 2009 10-Year Roads Construction Program has sufficient funds to cover 2009 anticipated expenditures for this project. The balance of the funding will be requested through the 2010 10-Year Roads Construction Program scheduled for approval by Regional Council in December 2009.

The upset limit fee of \$1,787,450.12 for the detailed design represents 6.6% of the total capital cost estimated in the draft 2010 10-Year Roads Construction Program to complete this project. This total capital cost was estimated to be \$26,995,000.

The upset limit fees include provisional items, such as, coordination and survey of exposed underground utilities, review of contractor's submissions, CCTV inspections, etc. The consultant will only be paid for these items if required and specifically directed by York Region to complete them.

6. LOCAL MUNICIPAL IMPACT

There are no local municipal implications associated with this report.

Road improvements to Bathurst Street, from Highway 7 to Major Mackenzie Drive will address transportation servicing deficiencies in York Region, and specifically in the City of Vaughan and the Town of Richmond Hill.

Throughout the course of this assignment, Regional staff will work with staff from the City of Vaughan and Town of Richmond Hill to accommodate local municipal requirements.

7. CONCLUSION

Three consultants' proposals for provision of professional engineering services were evaluated in accordance with Regional policy, by-laws and practices. The proposal submitted by Delcan Corporation represents the best overall value to York Region. It is recommended that a consulting assignment for the detailed design of Bathurst Street, from Highway 7 to Major Mackenzie Drive be awarded to Delcan Corporation as the successful proponent under Request for Proposal P-09-73.

For more information on this report, please contact Paul Jankowski, General Manager of Roads at extension 5901.

The Senior Management Group has reviewed this report.

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



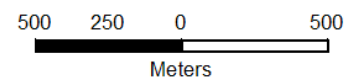
LOCATION PLAN

Project Nos. 8139 & 8286

Bathurst Street (Y.R. 38) from Highway 7 (Y.R. 7) to Major Mackenzie Drive (Y.R. 25)

City of Vaughan/Town of Richmond Hill

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