



## STAFF REPORT ACTION REQUIRED

### Contract Award – Contract 11FS-28S Tender Call 163-2012 North West PATH Pedestrian Tunnel Phase 1

<b>Date:</b>	August 29, 2012
<b>To:</b>	Public Works & Infrastructure Committee
<b>From:</b>	Executive Director, Technical Services Acting Director, Purchasing and Materials Management
<b>Wards:</b>	Ward 20 – (Trinity – Spadina) Ward 28 – (Toronto Centre-Rosedale)
<b>Reference Number:</b>	P:\2012\Cluster B\TEC\PW12033

#### SUMMARY

---

The purpose of this report is to advise of the results of Tender Call 163-2012 issued for the construction of phase 1 of the North West PATH Pedestrian Tunnel from the north west corner of Union Station to the north west corner of the intersection of York Street and Front Street in accordance with specifications as required by Technical Services, and to request the authority to award a contract to the recommended bidder.

#### RECOMMENDATIONS

---

**The Executive Director of Technical Services and Acting Director of Purchasing and Materials Management recommend that the Public Works & Infrastructure Committee grant authority to:**

1. Award Contract 11FS-28S, Tender Call 163-2012 to Carillion Canada Inc., in the amount of \$34,855,090.00, net of HST for the construction of phase 1 of the North West PATH Pedestrian Tunnel having submitted the lowest bid, meeting the specifications in conformance with the Tender requirements.

## Financial Impact

The total contract award identified in this report is \$39,386,251.70 including all applicable taxes and charges. The cost to the City, net of HST Recoveries is \$35,468,539.58.

The North West Path Extension is being constructed in two Phases. This award represents Phase 1 from Union Station to the north side of Front Street at York Street. This work is required to meet the City's contractual obligation with the Union Station Revitalization project, which includes exposure to significant construction delay claims that may result should Phase 1 not be available when construction staging within Union Station is required. Funding for the Phase 1 award recommended in this report is available in the 2012 Approved Capital Budget and 2013-2021 Capital Plan for Union Station in account CCA908-34.

The following table summarizes the cash flow requirements, net of HST Recoveries, for the Phase 1 contract award identified in this report:

<b>Account #</b>	<b>2012</b>	<b>2013</b>	<b>Total (Net of HST Recoveries)</b>
CCA908-34	\$10,176,000.00	\$25,292,539.58	\$35,468,539.58

A second construction phase will complete the connection to the existing PATH at York Street/Wellington Street. Completion of Phase 1 does not commit the City to the second phase of the project, nor are there any contractual obligations to the second phase of construction.

The approved budget for the North West Path Extension is \$66 Million and was based on the 2007 Environmental Assessment cost estimate. Significant design and delivery issues have arisen during the design process. Updated cost estimates for the entire North West Path Extension to the existing PATH at York Street/Wellington Street are now estimated at about \$100 Million, an increase of \$34 Million. As such, undertaking Phase 2 of the North West Path will require additional funding. Staff will develop a funding strategy inclusive of federal and provincial contributions for Council's consideration and approval prior to tendering the Phase 2 works.

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

## ISSUE BACKGROUND

Tender Call 163-2012 was issued by Purchasing and Materials Management Division and was advertised on the City's Internet Website on June 18, 2012.

The Purchasing and Materials Management Division, at its Public Opening held on August 16, 2012, opened the following Tenders for Tender Call 163-2012, Contract No. 11FS-28S, for construction of the North West PATH Pedestrian Tunnel Phase 1:

<b>Bidders</b>	<b>Price Complete Including All Charges Net of HST</b>
Carillion Canada Inc.	\$34,855,090.00
Bondfield Construction Company Limited	\$35,141,611.00*
Belor Construction Limited	\$37,206,965.00*
A Plus General Contractors Corp.	\$38,988,655.00
Kenaidan Contracting Ltd.	\$40,570,000.00*
Drainstar Contracting Ltd.	\$55,033,500.00*

\* Tender prices corrected for mathematical errors. Purchasing and Materials Management has verified that the mathematical errors were corrected.

## COMMENTS

The Tender documents submitted by the recommended bidder have been reviewed by the Executive Director, Technical Services and have been found to be in conformance with the Tender requirements.

Technical Services staff has compared the bids to the estimated cost and found the price of the recommended bidder to be reasonable.

The Fair Wage Office has reported that the recommended firm has indicated it has reviewed and understands the Fair Wage Policy and labour Trades requirements and has agreed to comply fully.

## CONTACTS

J. Bryson, P. Eng.  
 Manager, DCLI Structures and  
 Expressways, Technical Services  
 Tel. No. (416) 392-9183  
 Fax No. (416) 392-3300  
 e-mail: [jbryson@toronto.ca](mailto:jbryson@toronto.ca)

D. Ferguson  
 Manager  
 Purchasing and Materials Management  
 Tel. No. (416) 392-7323  
 Fax No. (416) 397-7779  
 e-mail: [dfergus4@toronto.ca](mailto:dfergus4@toronto.ca)

## SIGNATURES

---

Peter M Crockett, P. Eng.  
 Executive Director  
 Technical Services

---

M. Pacholok  
 Acting Director  
 Purchasing and Materials Management