

Amendment to Purchase Order No. 6042897 with LeighFisher Canada Inc. for Review of Metrolinx Design Submissions and Permit Applications

Date: June 18, 2021

To: Infrastructure and Environment Committee

From: Executive Director, Transit Expansion and Chief Procurement Officer,
Purchasing and Materials Management

Wards: All

SUMMARY

This report seeks authority to amend Purchase Order No. 6042897, issued to LeighFisher Canada Inc. (LeighFisher) for the review of Metrolinx Design Submissions and Permit Applications and to complete the required assessments and studies to identify potential environmental impacts and potential mitigation measures to reduce or remove these impacts, by an additional \$500,000 net of all applicable taxes and charges (\$508,800 net of HST recoveries), resulting in a total revised Purchase Order value of \$2,680,000 net of all applicable taxes and charges (\$2,727,168 net of HST recoveries).

RECOMMENDATIONS

The Executive Director, Transit Expansion and the Chief Procurement Officer, Purchasing and Materials Management recommend that:

1. The Infrastructure and Environment Committee, in accordance with Section 71-11.1.C of the City of Toronto Municipal Code Chapter 71 (Financial Control By-law), grant authority to amend Purchase Order No. 6042897 with LeighFisher Canada Inc. for the review of Metrolinx Design Submissions and Permit Applications by the amount of \$500,000 net of all applicable taxes and charges (\$508,800 net of HST recoveries), revising the current Purchase Order value from \$2,180,000 net of all applicable taxes and charges (\$2,218,368 net of HST recoveries) to \$2,680,000 net of all applicable taxes and charges (\$2,727,168 net of HST recoveries).

FINANCIAL IMPACT

The amendment of Purchase Order No. 6042897, issued to LeighFisher Canada Inc., by an additional \$500,000 net of all applicable taxes and charges (\$508,800 net of HST recoveries), will result in a total revised Purchase Order value of \$2,680,000 net of all applicable taxes and charges (\$2,727,168 net of HST recoveries). The full amount will be recovered from Metrolinx.

Funding for this Purchase Order Amendment is available in the Council Approved 2021 Operating Budget for the Transit Expansion Division. Funding details are summarized in Table 1, as follows:

Table 1: Financial Impact Summary

Cost Centre	Cost Element	Total
DB6000 IDS Transit Expansion	4199	\$508,800
TOTAL (Net of HST Recoveries)		\$508,800

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

DECISION HISTORY

Budget Committee, at its meeting of January 24, 2017, considered a motion to approve the increase of \$1,930,000 gross and \$0 net in the 2017 Operating Budget for Policy, Planning, Finance and Administration within the Major Capital Infrastructure Coordination (MCIC) Office for the expanded duration of services to be provided by LeighFisher, with the full amount to be recovered from Metrolinx.

The motion considered by Budget Committee can be viewed at:
(<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.BU30.1>)

City Council, at its meeting of February 15, 2017, adopted the motion to increase the 2017 Operating Budget for Policy, Planning, Finance and Administration within the MCIC Office to advance the City's review of technical submissions and issuance of permits and other approvals in support of the Regional Express Rail (RER) program. City Council also authorized staff in the MCIC Office to enter into an agreement with Metrolinx to secure the funds to retain the consultant.

City Council Decision can be viewed at:

(<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.EX22.2>)

Public Works and Infrastructure Committee, at its meeting of May 9, 2017, approved the amendment to Purchase Order No. 6042897 with LeighFisher Canada Inc., for Review of Metrolinx Design Submissions and Permit Applications.

The Public Works and Infrastructure Committee decision file can be viewed at:

(<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PW21.11>)

COMMENTS

Background

The Provincial Government has committed funds for transit expansion in the Greater Toronto and Hamilton Area (GTHA). The GO Expansion (GOE) Program will increase the frequency of service and electrify operations on GO Rail corridors.

The implementation of the GOE Program will impact the City in many ways, principally through significant infrastructure improvements. Metrolinx is undertaking assessments and studies to identify potential environmental impacts arising from the GOE Program and measures to reduce or mitigate these impacts. The volume of work to support the GOE Program within the City of Toronto resulted in the need to hire a consultant team to assist City staff with their technical reviews and approvals.

A Request for Proposal 9117-15-7316 (RFP) was issued on December 7, 2015 to competitively procure a consultant team after an agreement was reached between Metrolinx and the City on the funds available to hire the team. The RFP stated that the successful proponent could not be part of a consultant team currently hired by Metrolinx to conduct Environmental Assessment studies for RER, and must not have contributed to any of the studies that would be reviewed. These conditions resulted in one proposal submission from LeighFisher. Furthermore, since the total value of the sole response exceeded the funding available, the initial RFP was cancelled on January 15, 2016.

LeighFisher offered a consultant team with the breadth of technical expertise to supplement the City's review of EA studies, technical designs, and related plans submitted by Metrolinx in support of the RER program. Once the RFP was cancelled, staff commenced and entered into a non-competitive negotiation with LeighFisher to modify the scope of work and budget to match the funds available from Metrolinx, pursuant to the City's non-competitive purchasing policies.

The agreement was finalized on February 18, 2016 and Purchase Order No. 6042897 was issued to LeighFisher on February 22, 2016.

Additional Scope

To further advance the implementation of the GOE Program, Purchase Order No. 6042897 was increased to \$2,180,000 net of all applicable taxes and charges

(\$2,218,368 net of HST recoveries) in May 2017, expanding the scope of reviews to ensure Metrolinx timelines are met. The expenses were fully recovered from Metrolinx.

As Metrolinx's work on the GOE Program continues, it is necessary to increase the Purchase Order by an additional \$500,000 net of all applicable taxes and charges (\$508,800 net of HST recoveries) for the City of Toronto to complete the required assessments and studies to identify potential environmental impacts and potential mitigation measures to reduce or remove these impacts. The expenses will be fully recovered from Metrolinx.

CONTACT

Shalin Yeboah, Director, Program Management and Planning, Transit Expansion
Shalin.Yeboah@toronto.ca, 416-397-7358

Jackson Sychingho, Manager, Professional Services, Purchasing and Materials Management, Jackson.Sychingho@toronto.ca, 416-392-1492

SIGNATURE

Derrick Toigo
Executive Director, Transit Expansion

Michael Pacholok
Chief Procurement Officer, Purchasing and Materials Management