

Amendments to Purchase Order Numbers 6051690 and 6037171 for the Reconstruction of Toronto Transit Commission (TTC) Track Allowance, Street Lighting Installation and Landscaping Work on Wellington Street East

Date: March 15, 2022

To: Infrastructure and Environment Committee

From: Chief Engineer and Executive Director, Engineering and Construction Services; General Manager, Transportation Services; and Chief Procurement Officer, Purchasing and Materials Management

Wards: 13 (Toronto Centre)

SUMMARY

The purpose of this report is to request authority to amend Purchase Orders to Sanscon Construction Limited and Victor Ford and Associates Incorporated, respectively, in respect to the reconstruction of Toronto Transit Committee track allowance, road reconstruction, street lighting installation and landscape work on Wellington Street East between Yonge Street and Church Street, and on Church Street between Front Street and King Street.

The total value of the amendment being requested to Purchase Order Number 6051690, issued to Sanscon Construction Limited, for the construction of the above referenced works through Contract Number 20ECS-TI-20SP (Request for Tender Ariba Document Number 2592857459) is \$4,899,526 net of all taxes and charges (\$4,985,758 net of HST recoveries). Approval of this amendment revises the current purchase order value from \$8,300,861 (\$8,446,956 net of HST recoveries) to \$13,200,387 net of taxes and charges (\$13,432,714 net of HST recoveries).

The total value of the amendment being requested to Purchase Order Number 6037171, issued to Victor Ford and Associates Incorporated, as a result of Request for Proposal 9118-13-5012, for additional design support services is \$338,936 net of all taxes and charges (\$344,901 net of HST recoveries), revising the current purchase order value from \$338,720 to \$677,656 net of taxes and charges (\$689,583 net of HST recoveries).

The overall project includes state-of-good-repair improvements and incorporates Vision Zero, Complete Streets, and Green Streets principles with the following scope:

- Public realm improvements which include wider boulevard areas and pedestrian clearways, street trees, space for patios and bike parking;
- Road safety improvements including traffic signal improvements;
- State-of-good-repair road reconstruction;
- State-of-good-repair removal / replacement of TTC streetcar tracks; and
- Upgrading of Toronto Hydro and telecom infrastructure.

RECOMMENDATIONS

The Chief Engineer and Executive Director, Engineering and Construction Services, General Manager, Transportation Services, and 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:

a) Amend Purchase Order Number 6051690 with Sanscon Construction Limited, for the reconstruction of TTC track allowance, street lighting installation and landscaping work on Wellington Street between Yonge Street and Church Street, and on Church Street between Front Street and King Street, in the amount of \$4,899,526 net of all taxes and charges (\$4,985,758 net of HST recoveries), revising the current purchase order value from \$8,300,861 (\$8,446,956 net of HST recoveries) to \$13,200,387 net of taxes and charges (\$13,432,714 net of HST recoveries).

b) Amend Purchase Order Number 6037171 with Victor Ford and Associates Incorporated, for the provision of additional design support services related to resumption of construction on Wellington Street between Yonge Street and Church Street, and on Church Street between Front Street and King Street in the amount of \$338,936 net of all taxes and charges (\$344,901.27 net of HST recoveries), revising the current purchase order value from \$338,720.00 to \$677,656.00 net of taxes and charges (\$689,583 net of HST recoveries).

FINANCIAL IMPACT

Funding for the construction Contract Amendment (PO Number 6051690) in the amount of \$4,985,758 net of HST recoveries is available in the 2022-2031 Approved Capital Budget and Plan for Transportation Services State of Good Repair as summarized in Table 1 below (net of HST recoveries).

Table 1: Financial Impact Summary for Purchase Order Number 6051690

Year	CTP716-01-41	CTP717-58-161	CTP315-09-492	CTP417-02-85	Total (including HST non-recoverable amount)
2022	\$206,239	\$56,782	\$814,080	\$2,911,505	\$3,988,606
2023	\$51,560	\$14,196	\$203,520	\$727,876	\$997,152
Total	\$257,799	\$70,978	\$1,017,600	\$3,639,381	\$4,985,758

Funding for the additional design support services, Contract Amendment (Purchase Order Number 6037171) in the amount of \$344,901.27 net of HST recoveries is available in the 2022-2031 Approved Capital Budget and Plan for Transportation Services State of Good Repair Account CTP417-02-72.

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

DECISION HISTORY

On October 1, 2021, City Council adopted with amendments, a report to the September 14, 2021, Infrastructure Environment Committee entitled Updates on Wellington Street Capital Projects from the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Transportation Services. A copy of this report can be found at:

<https://www.toronto.ca/legdocs/mmis/2021/ie/bgrd/backgroundfile-170315.pdf>

On July 14, 2021, City Council directed the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Transportation Services to report back to the September 14, 2021, Infrastructure and Environment Committee on outstanding work to complete on Wellington Street East and potential options to accelerate outstanding work. A copy of the Council directive can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.MM35.17>

On February 24, 2021, Toronto and East York Community Council authorized the installation of a traffic control signal at the intersection of Wellington Street East and Scott Street. A copy of the Community Council directive can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.TE23.70>

On December 9, 2020, the Bid Award Panel granted authority to award Contract Number 20ECS-TI-20SP (Request for Tender Ariba Document Number 2592857459) for the reconstruction of Toronto Transit Commission (TTC) Track Allowance and

landscaping work was awarded to Sanscon Construction Limited, in the amount of \$8,300,861 net of all taxes and charges (\$8,446,956 net of HST recoveries). A copy of the Bid Award Panel decision can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.BA113.3>

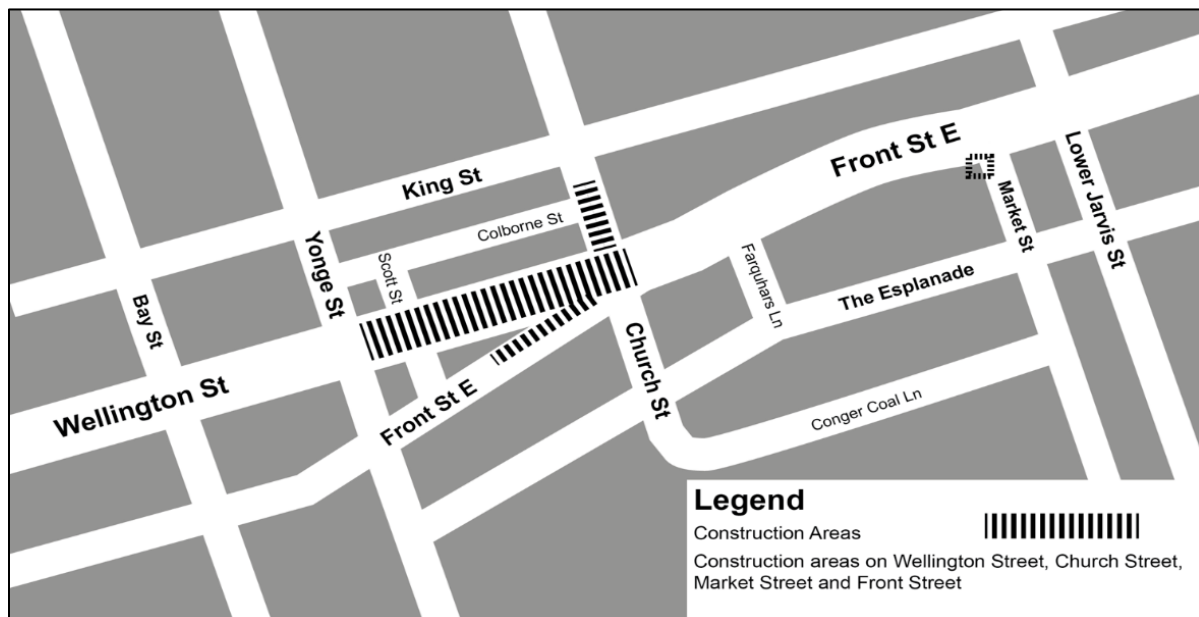
On March 15, 2017, the Bid Award Panel granted authority to award Contract (17ECS-TI-04SP) for the watermain replacement and TTC track reconstruction on Wellington Street for Engineering and Construction Services to Sanscon Construction Limited. A copy of the Bid Award Panel decision can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.BA14.1>

On May 15, 2017, Purchase Order No. 6037171 was issued to Victor Ford & Associates for the provision of professional and technical landscape architectural services for various site locations as part of the Neighbourhood Improvements program. The value of the original purchase order excluding taxes was \$174,450.00. On December 10, 2020, a Purchase Order Amendment in the amount of \$164, 270.00 was issued to this contract to perform design services required for the Wellington Street East (Yonge Street - Church Street) Revitalization Project, bringing the total contract value to \$338,720.00 net of all taxes and charges.

COMMENTS

The project (Contract Number 20ECS-TI-20SP) extends along Wellington Street East, from Yonge Street to Church Street and includes the intersection of Wellington Street East / Church Street / Front Street East and the eastbound approach on Front Street East to Church Street as shown in Figure 1.

Figure 1 - Map of Construction Areas



The overall scope of this work was initially derived based on:

a) Public realm and streetscape improvements identified in the St. Lawrence Market Neighbourhood BIA - Master Plan (2015) along Wellington Street East between Yonge Street and Church Street; and

b) TTC's state of good repair requirements for track removal and replacement from Yonge Street to Church Street.

Subsequent to the construction contract award, Toronto and East York Community Council directed the installation of new traffic signals at the intersection of Wellington Street East and Scott Street.

The scope of the project includes:

- Construction of a wider, unobstructed pedestrian clearway;
- Shorter pedestrian crossing distances;
- Traffic signal improvements at Wellington Street East / Church Street / Front Street East intersection;
- Additional and improved street lighting;
- State-of-good-repair road reconstruction;
- State-of-good-repair streetcar track removal/replacement on Wellington Street East and Church Street;
- A curbside transit stop on Wellington Street East at Yonge Street;
- New street trees on the south side of Wellington Street East and a double row on the north side with passive stormwater capture;
- Permanent and upgraded patio space; and
- Increased spaces for bike parking and a bike share station.

Construction for this Project commenced on March 8, 2021. However, as outlined in the staff report to Infrastructure and Environment Committee on September 14 2021, entitled "Updates on Wellington Street Capital Projects", significant underground utility conflicts were encountered during the first ten weeks of construction, due to inconsistencies between the design drawings as they were tendered, and the actual location of existing infrastructure.

These conflicts included:

- New streetlights installed by Toronto Hydro post-tender;
- The discovery of a large underground oil tank;
- An unexpected areaway adjacent to the Flat Iron Building; and
- Locations of sewer laterals, resulting in conflicts at numerous proposed pole base and electrical conduit locations.

Resolution of these conflicts involved significant redesign, which required further clearance approvals from utility companies for construction in proximity to their underground plant. In early June 2021, with only 25% of the work completed, and without an imminent resolution to these conflicts, the work was paused. To minimize disruption to the community and businesses, the contractor was directed to discontinue

operations, remove material and equipment from the site, and store the material in a secure offsite location. In addition, the Contractor was instructed to temporarily restore the site, with an asphalt sidewalk and concrete barriers for pedestrian and vehicular safety and reopen Wellington Street to vehicular traffic.

Revisions to the design were completed by the design services consultant engaged by Transportation Services including revised drawings to confirm Toronto Hydro requirements, traffic signal design, utility circulation review and coordination, preparation and issuance of submittal list and field review.

While undertaking revisions to the detailed design, there were significant changes that needed to be made as additions to the original scope of the Project, including:

- Modifications to existing streetlight circuits and power supply points along Front Street were required to avoid overloading existing circuits, extending the project limits by approximately 300 metres east, which included the need to install a new Toronto hydro pole at Front Street and Market Street and additional wiring;
- Rearrangement of the location of existing streetlight circuits and power supply points along Wellington Street between Yonge Street and Church Street related to temporary street lighting that was installed by Toronto Hydro in winter 2020-21 following the tender of this project;
- Changing streetlight fixtures from metal halide to LED (which was not an approved lighting type when the project was originally tendered);
- Additional work to accommodate larger pole type and deeper footing design for street lighting poles with traffic signal attachments, due to Toronto Hydro requirements; and
- Additional work to accommodate revised structural loading requirements for localized sidewalk planting areas due to clarified TTC structural requirements.

Amendment to Purchase Order Number 6051690 for Additional Construction Costs

The additional construction costs associated with the additional requirements summarized above are as follows:

a) Installation of new traffic signals at the intersection of Wellington Street East and Scott Street, as directed by Toronto and East York Community Council, which required removing and replacing four deep footings that were already installed as part of the original contract with larger diameter footings: The estimated additional cost of these new traffic signals: \$253,340.

b) Temporary restoration of roadway, boulevard and electrical pole base footings on Wellington Street and Front Street; and storage of purchased materials in a secure off-site location for 10 months: \$800,000

c) Delays associated with completing the construction in 2022, instead of 2021, resulted in additional costs due to labour and material cost increases, additional traffic control mobilization, and the removal and disposal of temporary restoration materials: \$1,150,000

Amendments to Purchase Orders 6051690 and 6037171 for the Reconstruction of TTC Track Allowance, Street Lighting Installation and Landscaping Work on Wellington Street East

d) Additional and revised designs for street light circuits and power supply points, street light fixtures to LED, street light pole types and street light pole base design details: \$1,696,186

e) An additional contingency to address unforeseen issues and/or additional work, which may arise through to project completion: \$1,000,000.

An amendment to Purchase Order Number 6051690, issued to Sanscon Construction Limited, for \$4,899,526 net of all taxes and charges (\$4,985,758 net of HST recoveries) is required to address these additional costs. Approval of this amendment revises the current purchase order value from \$8,300,861 (\$8,446,956 net of HST recoveries) to \$13,200,387 net of taxes and charges (\$13,432,714 net of HST recoveries).

Amendment to Purchase Order Number 6037171 for Design Support Services

Resumption of construction also requires additional design support services, utilizing a consultant engaged by Transportation Services. Scope of the assignment consists of providing revised structural drawings to conform to Toronto Hydro requirements, utility circulation review and coordination, preparation and issuance of submittal list, field review, shop drawing review, design and inspection services for traffic signal and streetlight construction, an allowance for additional geotechnical services if required during re-mobilization, post-construction and warranty period close-out, and contingency. An amendment to Purchase Order Number 6037171, issued to Victor Ford and Associates Incorporated, for additional design support services is \$338,936 net of all taxes and charges (\$344,901 net of HST recoveries), revising the current purchase order value from \$338,720 to \$677,656 net of taxes and charges (\$689,583. net of HST recoveries).

CONTACT

Mobushar Pannu, P. Eng., Director, Roadways, Engineering and Construction Services, Telephone: 416-392-8412, Email: Mobushar.Pannu@toronto.ca

Jacquelyn Hayward, Director, Project Design & Management, Transportation Services, Telephone: 416-392-5348, Email: Jacquelyn.Hayward@toronto.ca

Sabrina Dipietro, Manager, Infrastructure and Development Services, Purchasing and Materials Management, Telephone: 416-397-4809, Email: Sabrina.Dipietro@toronto.ca

SIGNATURE

Michael D'Andrea, M.E.Sc., P.Eng.
Chief Engineer and Executive Director, Engineering and Construction Services

Barbara Gray
General Manager, Transportation Services

Michael Pacholok, JD
Chief Procurement Officer, Purchasing and Materials Management

