

## **Contract Award for Construction Services to GFL Infrastructure Group Incorporated for the Basement Flooding Protection Program - Ariba Document 3403799980**

**Date:** June 22, 2022

**To:** Infrastructure and Environment Committee

**From:** Chief Engineer and Executive Director, Engineering and Construction Services and Acting Chief Procurement Officer

**Wards:** 6 (York Center), 17 (Don Valley North) and 18 (Willowdale)

### **SUMMARY**

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The purpose of this report is to advise of the results of Request for Tender, Ariba Document Number 3403799980, Tender 21ECS-LU-05FP, for construction services for the Basement Flooding Protection Program Assignments 19-15, 24-02, 26-02/03/08 and 27-03/05, and request the authority to enter into an agreement with GFL Infrastructure Group Incorporated in the amount of \$23,510,947 net of all applicable taxes and charges, (\$23,924,740 net of HST recoveries).

### **RECOMMENDATIONS**

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The Chief Engineer and Executive Director, Engineering and Construction Services and the Acting Chief Procurement Officer recommend that:

1. The Infrastructure and Environment Committee, in accordance with Section 195-8.4 of the Toronto Municipal Code Chapter 195 (Purchasing By-Law), grant authority to the Chief Engineer and Executive Director, Engineering and Construction Services to negotiate and enter into an agreement with GFL Infrastructure Group Incorporated, being the lowest qualified supplier meeting the requirements of Request for Tender, Ariba Document Number 3403799980 to provide construction services for Assignments 19-15, 24-02, 26-02/03/08 and 27-03/05, under the Basement Flooding Protection Program Phase 4, in the total amount of \$23,510,947 net of all applicable taxes and charges, \$23,924,740 net of HST recoveries.

## FINANCIAL IMPACT

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The total contract award is \$23,510,947 net of all applicable taxes and charges. The total cost to the City is \$23,924,740 net of HST recoveries.

Funding is available in the 2022 Approved Capital Budget and 2023-2031 Approved Capital Plan for Toronto Water, and in the 2022 Approved Capital Budget and 2023-2031 Approved Capital Plan for Transportation Services. Funding will be requested in the 2024 Operating Budget Submission for Transportation Services. The approved cashflow for 2022 to 2024 is shown in Table 1 below:

**Table 1 - Approved Cash Flow for Contract No. 21ECS-LU-05FP**

WBS Element/ Description	2022	2023	2024	Total (Net of HST Recoveries)
CWW421-17-24 Basement Flooding Relief - Group 4 (Construction)	\$309,776	\$1,652,137	\$103,259	\$2,065,171
CWW421-23-08 Basement Flooding Relief - Group 4 (Construction DC)	\$2,852,902	\$15,215,479	\$950,967	\$19,019,349
CPW544-23-05 2022 Water Service Replacement – SOGR	\$193,729	\$1,033,220	\$64,576	\$1,291,524
CTP315-07-490 Local Road Rehabilitation	\$138,640	\$1,247,761	\$0	\$1,386,401
CTP315-09-549 General Pooled Contingency	\$0	\$0	\$161,432	\$161,432
TS6040-GL4503 Utility Cuts Repairs	\$0	\$0	862	\$862
Total (Net of HST Recoveries)	\$3,495,047	\$19,148,597	\$1,281,096	\$23,924,740

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

## DECISION HISTORY

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At its meetings of September 24, 2008 and September 21, 2011, Council adopted criteria to prioritize and sequence recommended Basement Flooding Protection Program projects that are identified through completed studies to protect the greatest number of properties as soon as possible, within approved budgets, as appropriate funding opportunities are available and in coordination with other capital project and

population growth needs in the area. The Council adopted criteria and the corresponding staff reports can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2008.EX23.16>  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.PW7.6>

At its meeting of June 18, 2019, Council granted the authority to apply for federal funding under the Disaster Mitigation and Adaptation Fund and enter into and execute any agreements, including any amendments, with the Government of Canada under the Disaster Mitigation and Adaptation Fund on terms and conditions satisfactory to the City Manager and the Chief Financial Officer and Treasurer and in a form satisfactory to the City Solicitor. The Council adopted item and the corresponding staff reports can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EX6.4>

At its meeting of November 25 and 26, 2020, Council adopted the amended threshold per benefitting property at the preliminary design phase, and direct that projects identified through completed Basement Flooding studies proceed to detailed design and construction, if the cost per benefitting property, as determined during the preliminary design phase, is less than the amended threshold. The Council adopted item and the corresponding staff reports can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.IE17.5>

At its meeting of December 15, 16 and 17, 2021, Council adopted the 2022 Rate Supported Budgets - 2022 Water and Wastewater Consumption Rates and Service Fees. In support, a briefing note titled "2022 Capital Budget Briefing Note - Basement Flooding Protection Program - Program Status Update and Project List: 2022 to 2026", contains the updated planned schedule for engineering design and construction of infrastructure upgrades supporting Toronto Water's Basement Flooding Protection Program. The Council adopted item and supporting Briefing Note can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.EX28.6>  
<https://www.toronto.ca/legdocs/mmis/2021/ex/bgrd/backgroundfile-173775.pdf>

## COMMENTS

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### Background

Since May 2000, the City has experienced multiple extreme storm events that resulted in flooding of more than 14,000 homes, erosion in ravines and watercourses and damage to City infrastructure. Following the August 2005 extreme storm event, which exceeded the 100 year design storm intensity in areas north of Highway 401, Council established the Basement Flooding Protection Program. This Program was initially focused on areas impacted during the May 2000 and August 2005 storms. The Basement Flooding Protection Program was extended City-wide in 2013.

The Basement Flooding Protection Program consists of three main components:

- Infrastructure improvements, established through Environmental Assessment Studies in a defined drainage area, to reduce the risks of urban flooding;
- A Basement Flooding Protection Subsidy Program, which promotes and provides financial subsidies for the installation of backwater valves, foundation drain modifications and sump pumps; and,
- An education and outreach strategy to advise homeowners of the causes of and solutions to, basement flooding.

As part of the infrastructure improvements, 67 Basement Flooding Protection Program Study Areas have been identified across the entire City. Class Environmental Assessment Studies have been completed in 43 areas and studies are underway for the remaining 24 areas.

### **Basement Flooding Protection Program Study Areas 19, 24, 26 and 27**

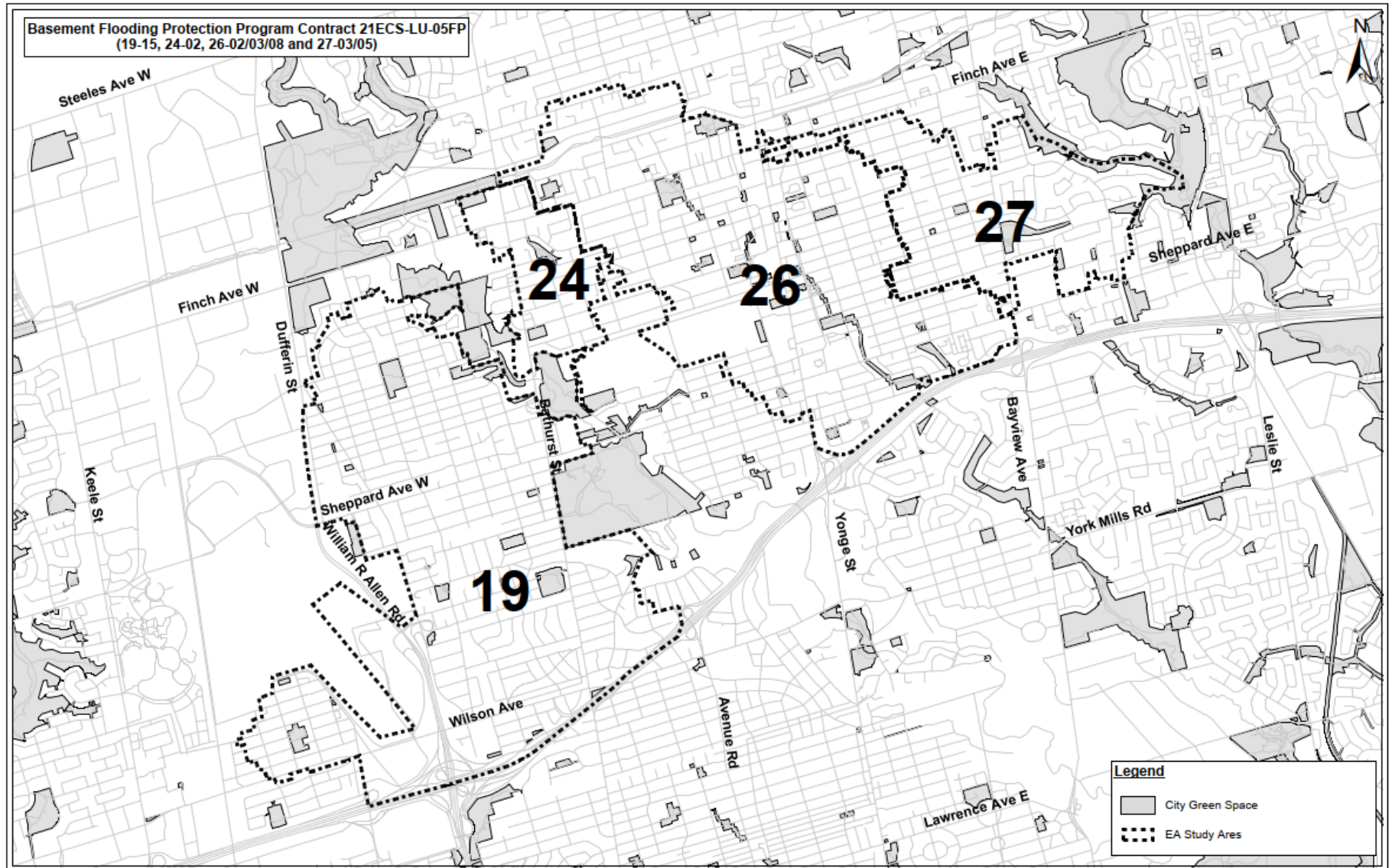
The Environmental Assessment for Basement Flooding Protection Program Study Areas 19, 24, 26 and 27, are located in an area generally bounded by Finch Avenue West to the north, Sheppard Avenue West to the south, Bathurst Street to the west, and Burbank Drive to the east, as shown in Figure 1. The Environmental Assessment Study for Basement Flooding Protection Program Assignment 19-15 was completed in 2014, and the Environmental Assessment Study for Assignments 24-02, 26-02, 26-03, 26-08, 27-03 and 27-05 was completed in 2016. The detailed design associated with the infrastructure upgrades identified in these Environmental Assessment Studies was completed in 2022.

The locations of system upgrades associated with this report are presented in: a) Figure 2 for Assignments 19-15 and 24-02; b) Figure 3 for Assignments 26-02, 26-03 and 26-08; and c) in Figure 4 for Assignments 27-03 and 27-05.

A summary of the system upgrades associated with the contract recommended in this report include:

1. Sanitary Sewer Upgrades (approximately 1600 metres of between 250 mm to 1050 mm diameter) at the following locations:
  - Foxwarren Drive (from 14 metres East of Bayview Avenue to 48 metres East of Millgate Crescent (West Branch))
  - Wilfred Avenue (from 33 metres North of Wedgeport Place to Dunview Avenue)
  - Christine Crescent (from Betty Ann Drive to 15 Christine Crescent)
  - Yorkview Drive (from 98 metres West of Wynn Road to Fleetwell Court)
  - Fleetwell Court (from Finchurst Drive to 32 metres South of Finchurst Drive)
  - Finchurst Drive (from 23 Finchurst Drive to 9 Finchurst Drive)
  - Ellerslie Avenue (from 185 Ellerslie Avenue to Tamworth Road)
  - Tamworth Road (from Ellerslie Avenue to Holcolm Road)
  - Hounslow Avenue (from 76 metres West of Abbotsford Road to Tamworth Road)
  - Holcolm Road (from 61 metres West of Tamworth Road to Tamworth Road)
  - Finch Avenue West (from 39 metres East of Senlac Road to 47 metres East of Lorraine Drive)

Figure 1. Environmental Assessment Study Areas 19, 24, 26 and 27.

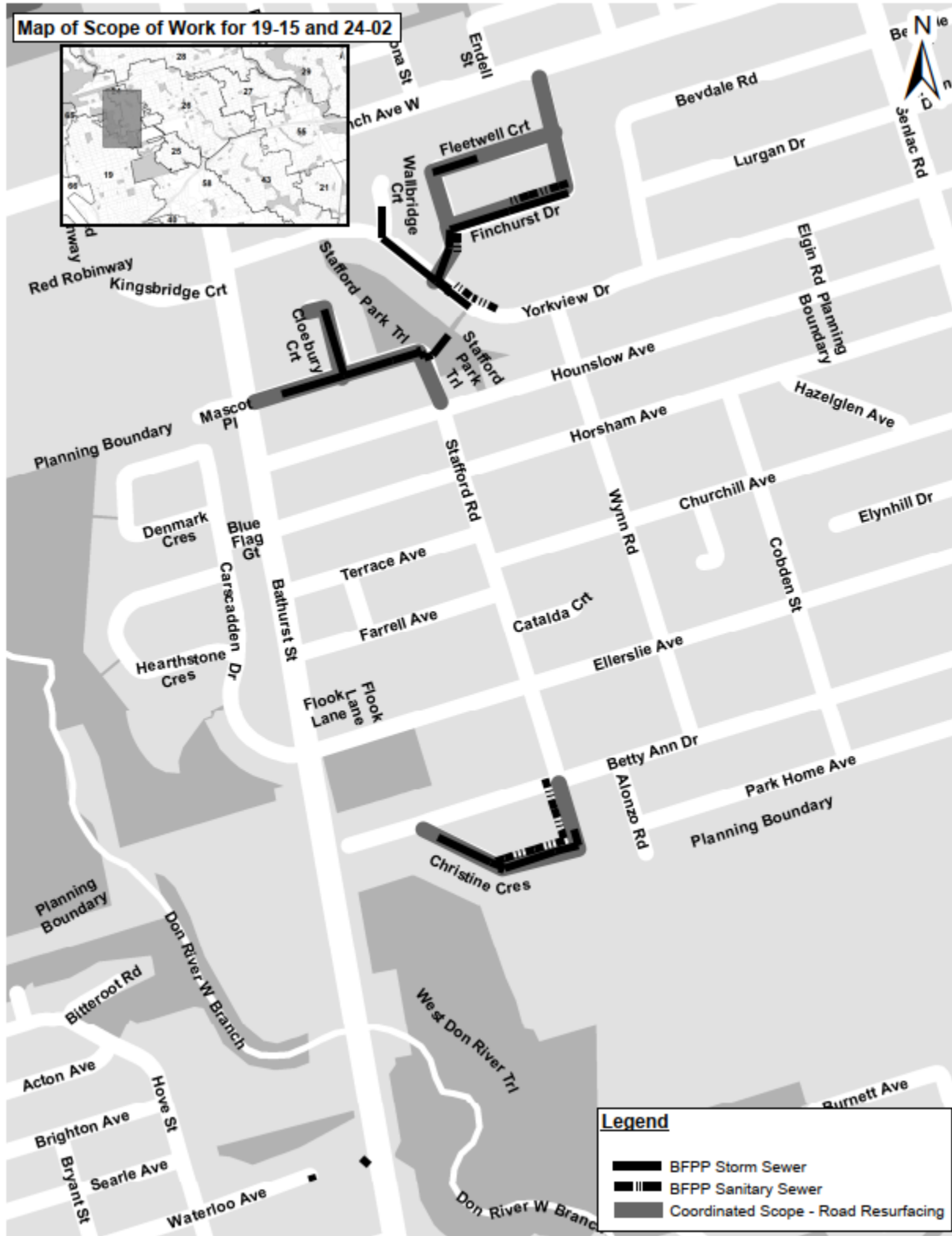


Award of Contract 21ECS-LU-05FP to GFL Infrastructure Group Incorporated for the Basement Flooding Protection Program Study Areas 19, 24, 26 and 27

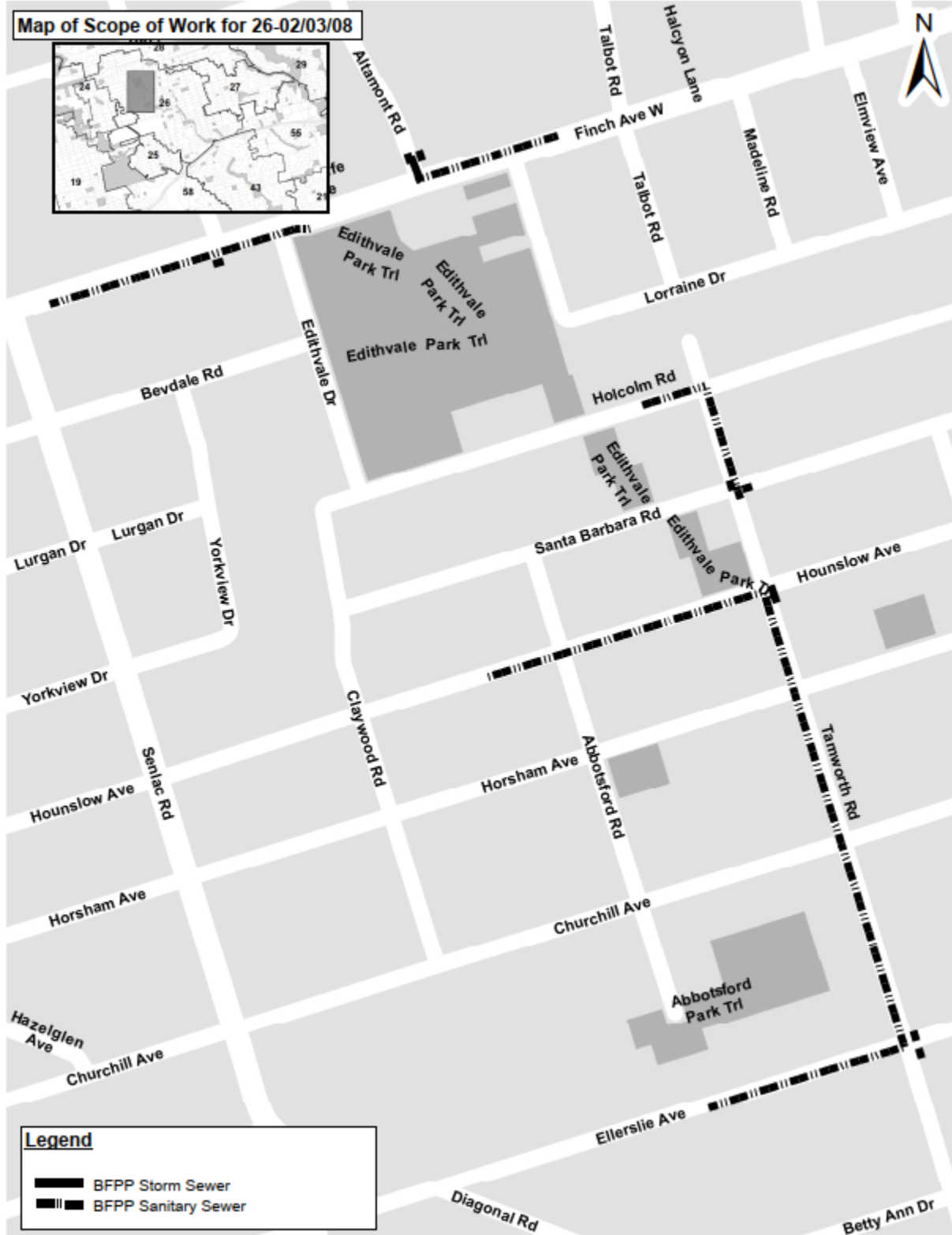
2. Storm Sewer Upgrades (approximately 2470 metres of 300 mm to 750 mm diameter) at the following locations:
  - Altamont Road (from 26 metres North of Finch Avenue W to Finch Avenue W)
  - Millgate Crescent (from 74 metres North of Foxwarren Drive to Foxwarren Drive)
  - Estelle Avenue (from Hillcrest Avenue to Elmwood Avenue)
  - Wedgeport Place (from 5 metres East of Wilfred Avenue to Wedgeport Place (Cul-de-Sac))
  - Wild Gingerway Road (from 83 metres East of Waterloo Avenue to 93 metres East of Waterloo Avenue)
  - Christine Crescent (from 36 metres East of Betty Ann Drive to 15 Christine Crescent)
  - Stafford Road (from 51 metres East of Stafford Road to 58 m East of Bathurst Street)
  - Hillcrest Avenue (from 16 metres East of Estelle Avenue to Estelle Avenue)
  - Cloebury Court (from 15 Cloebury Court to Stafford Road)
  - Yorkview Drive (from Wallbridge Court to 67 metres South of Fleetwell Court)
  - Wallbridge Court (from 49 metres North of Yorkview Drive to Yorkview Drive)
  - Fleetwell Court (from Yorkview Drive to Finchurst Drive)
  - Finchurst Drive (from 95 metres South of Fleetwell Court to Fleetwell Court)
  - Tamworth Road (from 16 metres South of Hounslow Avenue to Hounslow Avenue)
  - Wilfred Avenue (from 5 metres South of Dunview Avenue to Dunview Avenue)
  
3. Catchbasins and Catchbasin Inlet Control Devices along:
  - Bowhill Crescent
  - Clematis Road
  - Endsleigh Crescent
  - Flintwood Court
  - Hazelnut Crescent
  - Kamloops Drive
  - Patrick Blvd
  - Pindar Crescent
  - Pleasant View Drive
  - Snapdragon Drive
  - Wilkinson Drive
  
4. Local Road Resurfacing (approximately 1,650 metres) at the following locations:
  - Christine Crescent (from Betty Ann Drive to Betty Ann Drive)
  - Cloebury Court (from Stafford Road to Stafford Road)
  - Finchurst Drive (from Fleetwell Court to Finch Avenue West)
  - Fleetwell Court (from Yorkview Drive to Finchurst Drive)
  - Stafford Road (from Hounslow Avenue to Bathurst Street)

The construction for these assignments is expected to commence in mid-August 2022 and extend through to 2024.

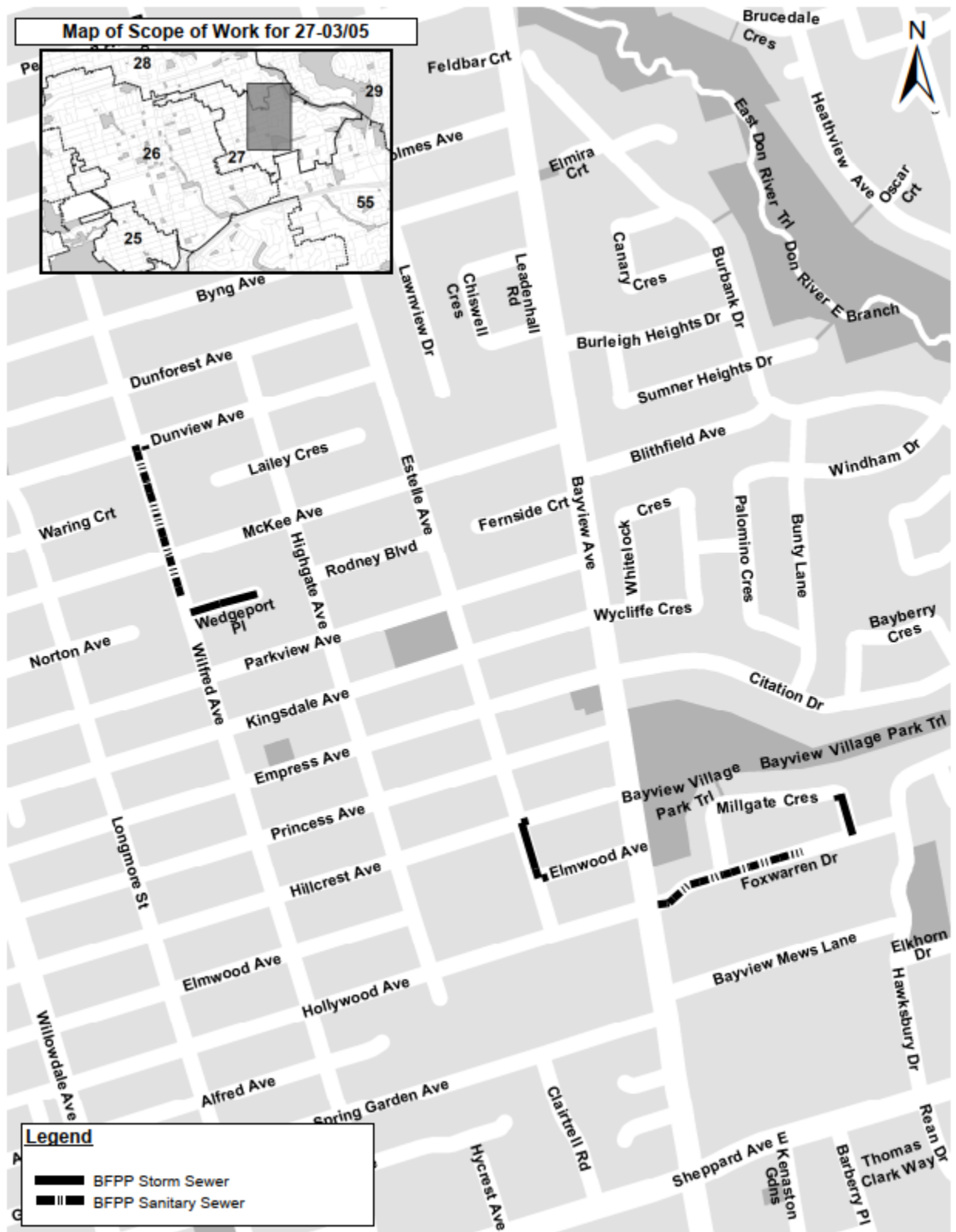
**Figure 2: Basement Flooding Protection Program Scope of Work in Study Areas 19 and 24 (Assignments 19-15 and 24-02)**



**Figure 3: Basement Flooding Protection Program Scope of Work in Study Area 26 (Assignments 26-02, 26-03 and 26-08)**



**Figure 4: Basement Flooding Protection Program Scope of Work in Study Area 27 (Assignments 27-03 and 27-05)**



Award of Contract 21ECS-LU-05FP to GFL Infrastructure Group Incorporated for the Basement Flooding Protection Program Study Areas 19, 24, 26 and 27

## Procurement Process

A Request for Tender, Ariba Document Number 3403799980, was issued to select the lowest qualified Supplier meeting specification and requirements of the solicitation to provide the construction services for Assignments 19-15, 26-02, 26-03, 26-08, 27-03 and 27-05 under the Basement Flooding Protection Program Phase 4 for Engineering and Construction Services Division.

Request for Tender, Ariba Document Number 3403799980 was advertised on March 23, 2022, on the City's internet website and the closing date was April 29, 2022 with an issuance of four (4) addenda. A total of six (6) bids were submitted electronically in Ariba, from the Suppliers listed in Table 2 below.

Table 2. Suppliers and Bid Prices for Request for Tender, Ariba Document Number 3403799980

Supplier Name	Bid Price including HST
GFL Infrastructure Group Inc.	\$23,278,147.89
614128 Ontario Ltd, O/A Trisan	\$24,362,883.50
Varcon Construction Corporation	\$25,863,727.81
Clearway Construction Inc.	\$29,928,737.04
Comer Group Ltd.	\$32,725,178.55
Drainstar Contracting Ltd.	\$39,088,993.90

\*Pursuant to the Request for Tender document the contract award value includes contingency.

The submissions received from the six (6) bidders that responded to Request for Tender, Ariba Document Number 3403799980, were reviewed and evaluated by staff from Purchasing and Materials Management Division and Engineering and Construction Services. All six (6) were found to be in conformance with the Tender requirements. Recommended bidder for Contract No. 21ECS-LU-05FP is GFL Infrastructure Group Incorporated.

Engineering and Construction Services staff compared the bids to the engineering estimate of \$26,009,264 including all taxes and charges. The bid price of the recommended bidder is in the amount of \$26,567,370 including all taxes and charges and is higher the engineering estimate by approximately 2%.

The Fair Wage Office has reported that the recommended Bidder has indicated that they have reviewed and understand the Fair Wage Policy and Labour Trades requirements and the recommended Bidder has agreed to comply fully.

The Tender submission from GFL Infrastructure Group Incorporated. for Request for Tender, Ariba Document Number 3403799980, Contract No. 21ECS-LU-05FP, includes their agreement to complete the works within a time frame of 360 working days from the date of the issuance of the written Order to Commence.

## **CONTACT**

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## **SIGNATURE**

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Sandra Lisi,  
Acting Chief Procurement Officer