

Emergency Non-Competitive Contract with Ellisdon Civil Limited to Repair the Temporary Dufferin Street Bridges over Metrolinx Rail Corridor

Date: Date the report is signed

To: General Government Committee

From: Chief Engineer and Executive Director, Engineering and Construction Services Division and Chief Procurement Officer, Purchasing and Materials Management

Wards: 4 (Parkdale – High Park), 10 (Spadina-Fort York)

SUMMARY

The purpose of this report is to advise Toronto City Council, pursuant to Chapter 195 of the Toronto Municipal Code (Purchasing By-Law, Section 195-7.4), of a non-competitive contract with EllisDon Civil Limited, to procure construction services to repair damaged elements of the temporary Dufferin Street bridges over the Metrolinx rail corridor, south of Springhurst Avenue, for a total value of \$1,320,000 excluding Harmonized Sales Tax (\$1,343,232 net of Harmonized Sales Tax recoveries).

The issuance of this non-competitive contract was a matter of urgency to accelerate the work required to re-open Dufferin Street following an emergency closure on July 13, 2023, due to damage to the bridge structures.

This contract addresses the remediation of temporary bridges installed a decade ago. At that time, the existing permanent bridges needed replacement. These temporary bridges, designed to last only 10 years, were meant to give Metrolinx time to finalize plans for the rail corridor beneath them and to provide the City with the necessary specifications for the new permanent bridges. Despite considerable design efforts over the past ten years, Metrolinx has not yet finalized the required design specifications. Therefore, it is necessary to repair the temporary bridges, which remain in use as an interim measure until the design and construction of permanent bridge structures can proceed. The City will seek to recoup two-thirds of the repair costs from Metrolinx for their share of the emergency repair work.

This repair was deemed an emergency by the former Interim Chief Engineer and Executive Director, Engineering and Construction Services, under Chapter 195-7.1 (G) of the Municipal Code. Reporting back to City Council is required in accordance with Municipal Code Chapter 195, Purchasing Article 7, Section 195-7.4 (B) when a non-competitive contract exceeds \$500,000.

RECOMMENDATIONS

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

1. City Council receive this report for information.

FINANCIAL IMPACT

The total value of the emergency non-competitive contract, (Purchase Order 6055014), was issued for a total value of \$1,320,000 net of all applicable taxes and charges and \$1,491,600 including HST and applicable charges. The total cost to the City is \$1,343,232 net of HST recoveries.

The emergency contract is funded from the 2023-2032 Approved Capital Budget and Plan for Transportation Services as summarized in Table 1 below:

Table 1: Financial Impact Summary

WSIB Element	Description	2023	Total (Net of HST Recoveries)
CTP515-01-255	City Bridge	\$1,343,232	\$1,343,232

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

DECISION HISTORY

At its meeting of October 23, 2013, the Bid Committee adopted the award of Request for Tender 306-2013, Contract Number 13SE-24S in accordance with the Contract Details set out in the report (October 17, 2013) from the Director, Purchasing and Materials Management for the provision of the Dufferin Street Bridge over Metrolinx/GO Transit Rail Corridor – Emergency Works to Ellis Don Civil Limited. The Total contract award value was \$3,035,382 net of HST recoveries. A copy of the Bid Committee Decision Document can be found at: [Agenda Item History - 2013.BD148.5 \(toronto.ca\)](#)

At its meeting of October 1, 2014, the Bid Committee adopted the award of Request for Proposal Number 9117-14-5060 in accordance with the Contract Details set out in the report (September 23, 2014) from the Director, Purchasing and Materials Management for the provision of Professional Engineering Services of a Feasibility Study and

Preliminary Design for Permanent Replacement of the Dufferin Street Bridges Over the F.G. Gardiner Expressway and the Metrolinx/GO Transit Rail Corridor to LEA Consulting Limited. The total contract award value was \$758,156.77 net of HST recoveries. A copy of the Bid Committee Decision Document can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.BD201.1>

At its meeting of October 1, 2021, City Council adopted, the award of Non-Competitive Contract for the provision of professional engineering services for the Replacement of the Dufferin Street Bridges over the Metrolinx Rail Corridor and F.G. Gardiner Expressway to LEA Consulting Limited. The total contract value was \$3,614,375 net of HST recoveries. A copy of the City Council Decision Document can be found at: [Agenda Item History - 2021.IE24.5 \(toronto.ca\)](#)

COMMENTS

In 2011, the City, along with the Toronto Transit Commission and Metrolinx/GO Transit, completed a Municipal Class Environmental Assessment to evaluate viable alternatives for the replacement of the Dufferin Street bridges over the Metrolinx/GO Transit Rail Corridor (Lakeshore West) and F.G. Gardiner Expressway. The Dufferin Street bridges connect the south end of Parkdale to Exhibition Place. Dufferin Street is classified as a minor arterial road and provides an important connection to Lakeshore Boulevard West through the Exhibition Place roadways.

The recommended bridge replacements include a 30-metre single-span precast box girder bridge over the rail corridor and a 35-metre single-span welded steel plate box girder bridge over the F.G. Gardiner Expressway.

In 2013, the Dufferin Street bridge over the Metrolinx Rail Corridor was demolished as it had reached the end of its service life and there were safety concerns related to its poor condition. In 2014, following demolition work, temporary modular bridges were installed to re-open the road in advance of the planned permanent construction of the bridge. This work was undertaken by EllisDon Civil Limited following a competitive tender process. There are three (3) modular bridges, one carrying northbound traffic, one carrying southbound traffic, and one pedestrian bridge to the east. The modular bridges were designed for a service life of ten (10) years.

In October 2014, the City retained LEA Consulting Limited through a Request for Proposal to undertake a feasibility study and complete the preliminary design for the Dufferin Street bridges to implement the preferred alternative identified in the completed Environmental Assessment.

In 2015, Metrolinx advised the City that they were unable to confirm the minimum vertical clearance requirements along the Lakeshore West Rail Corridor. Consequently, the City was unable to advance the preliminary design assignment for the Dufferin Street bridges and the project was put on hold.

After two years of consultation and discussion, Metrolinx informed the City in November 2017 that it would oversee the design and construction of the permanent replacement bridges at Dufferin Street, as well as the Dunn Avenue and Dowling Avenue bridges. Metrolinx advised the City that the risk associated with the City completing the projects may jeopardize their planned project to electrify the Lakeshore West Rail Corridor. In January 2018, Metrolinx also reiterated its commitment to the City on the timely delivery of the permanent Dunn Avenue, Dowling Avenue, and Dufferin Street bridges in its upcoming GO Expansion procurement package.

In September 2019, Metrolinx informed the City that the Dunn Avenue, Dowling Avenue, and Dufferin Street bridges would no longer be part of the forthcoming GO Expansion procurement package. Metrolinx also advised that, upon re-evaluation and agreement with the Canadian National Railway Company and Canadian Pacific Railway Company, existing vertical clearances on all three (3) bridge were deemed sufficient to meet electrification requirements. City staff held discussions with Metrolinx to explore the possibility of undertaking the works, albeit without success.

Metrolinx's decision to accept the existing vertical clearance of the Dufferin Street Bridge had significant implications on the preliminary design, which was nearing completion in September 2019. As a result of the decision to maintain the existing vertical clearance, LEA Consulting Limited revised the preliminary design and completed it in October 2021. Considering the significant delays experienced on the project, and ten (10) year life span of the temporary bridges, the City proceeded with a non-competitive assignment with LEA Consulting Limited to advance the detailed design to pursue a construction start in early 2024.

In December 2022, during the review of the City's 30% design, Metrolinx requested that the Dufferin Street Bridge replacement be deferred until 2027 to minimize conflicts with the planned adjacent Ontario Line Exhibition Station project. Due to previous project delays caused by Metrolinx, the City requested assurances that work would be permitted to proceed by 2027 and that Metrolinx take on additional responsibilities during the deferral duration. Discussion on this matter is ongoing.

On July 10, 2023, during a routine inspection of the temporary Dufferin Street Bridges, the City identified a damaged deck panel on the southbound bridge. The southbound bridge was closed immediately, and a thorough inspection was conducted, revealing critical damage to several deck panels and supporting elements. This discovery necessitated the complete closure of both southbound and northbound bridges.

Engineering and Construction Services, having confirmed with Transportation Services the critical importance of Dufferin Street as a vital north-south arterial roadway in the City's transportation network, enlisted the expertise of EllisDon Civil Limited, the contractor responsible for the bridge's initial construction, to address the emergency repair needs promptly.

In consultation with the City's engineering consultant, Doug Dixon and Associates, and the Contractor, a remediation plan to replace thirty-six (36) deck panels was developed. This solution is anticipated to extend the service life of the structure an additional five

(5) to seven (7) years, and beyond the time requested by Metrolinx to defer the permanent replacement of the bridge.

With no objection to the remediation plan by Metrolinx, the City initiated a Non-Competitive contract with EllisDon Civil Limited. The Construction Agreement was executed on October 25, 2023, with the issuance of Purchase Order number 6055014 on October 27, 2023.

Regulated by Board Order Number 10169, the maintenance expenses for the Dufferin Street Bridge over the rail corridor are shared between the City and Metrolinx, with Metrolinx responsible for two-thirds (2/3) of the costs and the City the remaining one-third (1/3). Metrolinx has confirmed in principle to share the costs as indicated in the Board Order.

The City will seek to recoup two-thirds of the repair costs from Metrolinx for their share of the emergency work. The cost to the City, following cost recovery from Metrolinx, is anticipated to be \$439,560 (exclusive of all applicable taxes), for a total value of \$472,967 net of HST recoveries.

Emergency repairs on the Dufferin Street Bridge are anticipated to be completed by December 31, 2023.

CONTACT

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SIGNATURE

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