

## **Non-Competitive Contract with Tacel Ltd. for the Supply and Delivery of Polara Accessible Pedestrian Signals System Components and Central Control Units**

**Date:** December 20, 2023

**To:** General Government Committee

**From:** General Manager, Transportation Services and Chief Procurement Officer

**Wards:** All

### **SUMMARY**

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The purpose of this report is to request City Council authority to enter into a non-competitive contract with Tacel Ltd. for the supply and delivery of the Polara Accessible Pedestrian Signals System Components and Central Control Units. The contract initial period will commence from the date of award to July 31, 2025, with three (3) additional option year renewals, in the total amount of \$4,172,841 net of Harmonized Sales Tax (\$4,246,283 net of Harmonized Sales Tax recoveries).

A contract was originally awarded to Tacel Ltd. in 2013 resulting from competitive call Request for Quotation number 1205-13-0133 which had only one submission. The sole bidder, Tacel Ltd., was awarded the contract. A new Request for Quotation number 1205-17-0320 was issued on September 11, 2017 and was subsequently canceled because it was determined that Tacel Ltd. is the exclusive distributor. A letter from the manufacturer confirms the exclusive distributorship of Tacel Ltd. for Polara products.

The new Contract is requested to continue procurement of Accessible Pedestrian Signals and Central Control Units, formerly known as Audible Pedestrian Signals, which advise pedestrians who are blind, visually impaired or deaf-blind when they have the right-of-way to cross at a signalized intersection and in which direction they may cross the intersection. Tacel Ltd. is the exclusive distributor of the Polara Accessible Pedestrian Signals and Central Control Units.

City Council approval is required in accordance with Municipal Code Chapter 195-Purchasing, where the current request exceeds the Chief Procurement Officer's authority of the cumulative five year commitment for each supplier, under Article 7, Section 195-7.3 (D) of the Purchasing By-Law or exceeds the threshold of \$500,000 net

of HST allowed under staff authority as per the Toronto Municipal Code, Chapter 71- Financial Control, Section 71-11A.

## RECOMMENDATIONS

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The General Manager, Transportation Services and the Chief Procurement Officer recommend that:

1. City Council authorize the General Manager, Transportation Services to negotiate and execute a non-competitive agreement from the date of award to July 31, 2025, with Tacel Ltd in the amount of \$4,172,841 net of Harmonized Sales Tax (\$4,246,283 net of Harmonized Sales Tax recoveries), on terms and conditions satisfactory to the General Manager, Transportation Services, in a form satisfactory to the City Solicitor.

## FINANCIAL IMPACT

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The total potential contract value identified in this report is \$4,172,840.64, net of Harmonized Sales Tax. The total potential cost to the City including the optional period is \$4,246,282.64, net of Harmonized Sales Tax recoveries.

Funding is available in the 2023 Approved Operating Budget of Transportation Services. Additional funding for the remainder of the initial contract period will be included in the 2024 Operating Budget Submission for Transportation Services. Should the optional periods be exercised, additional funding will be included in the 2025-2028 Operating Budget Submissions for Transportation Services. Additional funding details are provided in Table 1 to follow:

Table1: Financial Impact Summary of Recommended Contract (net of Harmonized Sales Tax recoveries)

Cost Centre /Cost Element	Initial Period Date of award to July 31, 2025			Option Period 1 August 1, 2025 to July 31, 2026		Option Period 2 August 1, 2026 to July 31, 2027		Option Period 3 August 1, 2027 to July 31, 2028	
	2023	2024	2025	2025	2026	2026	2027	2027	2028
TS7030 (GL 3350)	307,875	753,401	451,326	338,495	473,892	372,344	521,282	428,196	599,474

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

## **DECISION HISTORY**

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On April 24, 25, 26 and 27, 2018 PW28.1 was Adopted by City Council authorizing the General Manager, Transportation Services, to negotiate and enter into an agreement with Tacel Ltd. for the purchase of the Accessible Pedestrian Signals Pushbuttons and Central Control Units from date of contract issuance to December 31, 2018, in the amount of \$382,875 net of Harmonized Sales Tax(or \$389,614 net of Harmonized Sales Tax recoveries), with the option to renew for a further four (4) separate one (1) year periods at the sole discretion of the city and subject to budget approval(s) and on terms and conditions satisfactory to the General Manager, Transportation Services and in a form satisfactory to the City Solicitor.

[\(Agenda Item History 2018.PW28.1\)](#)

On March 18, 2019 IE2.4 was Adopted by the Infrastructure and Environment Committee granting authority to amend Blanket Contract number 47021436 with Tacel Ltd., to purchase "Accessible Pedestrian Signals, Pushbuttons and Central Control Units" in the amount of \$1,065,042, net of Harmonized Sales Tax (\$1,083,787, net of Harmonized Sales Tax recoveries) from \$2,032,735 to \$3,097,778 net of HST (from \$2,068,512 to \$3,152,299 net of Harmonized Sales Tax recoveries).

[\(Agenda Item History 2019.IE2.4\)](#)

## **COMMENTS**

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Accessible Pedestrian Signals and the Central Control Units, formerly known as audible pedestrian signals, advise pedestrians who are blind, visually impaired or deaf-blind when they have the right-of-way to cross at a signalized intersection and in which direction they may cross the intersection. The City of Toronto currently has approximately 800 signalized intersections equipped with Accessible Pedestrian Signals.

In order to properly maintain the Accessible Pedestrian Signals equipment at these intersections and ensure pedestrian safety, system components and Central Control Units are required in case of failure to existing equipment. Only compatible units can be used.

Currently only one vendor supplies the required equipment. Tacel Ltd. is the exclusive distributor in Ontario. The equipment required is the only equipment that is compatible with the City's existing Accessible Pedestrian Signals equipment.

Fair Wage Office has reported that Tacel Ltd. has indicated that it has reviewed and understands the Fair Wage Policy and Labour Trades requirements and has agreed to comply fully.

## **CONTACT**

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## **SIGNATURE**

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Chief Procurement Officer

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