

From: [Lawrence Rigatti](#)
To: [General Government Committee](#)
Subject: [External Sender] My comments for 2024.GG13.5 on May 30, 2024 General Government Committee
Date: May 29, 2024 4:03:50 PM
Attachments: [Doc4430179988 NC Letter-Alliance Verdi Civil Inc.pdf](#)
[Project Reference - 16 Mile Creek.pdf](#)

To the City Clerk:

Please add my comments to the agenda for the May 30, 2024 General Government Committee meeting on item 2024.GG13.5, Award of Doc4430179988 to Soncin Construction for Rehabilitation of Eastern / Adelaide Bridges (ID264, ID263, ID246, and ID266) for Engineering and Construction Services

I understand that my comments and the personal information in this email will form part of the public record and that my name will be listed as a correspondent on agendas and minutes of City Council or its committees. Also, I understand that agendas and minutes are posted online and my name may be indexed by search engines like Google.

Comments:

I am writing to bring to your attention a concerning issue regarding this procurement recommendation made by the purchasing department. Our company recently received a non-compliant letter regarding this project, citing a contract value below the minimum requirement. Upon internal review, we discovered that this discrepancy arose from a clerical error on our part. We have promptly provided the required project references that meet the minimum requirement, as outlined in 1. a. ii. Part 4 Form C, attached for your reference.

We acknowledge our responsibility in this oversight and have taken steps to prevent such errors in the future. However, I must emphasize the potential consequences of awarding the project to a second-place compliant contractor based solely on this technicality.

Awarding the project to a compliant bidder with a significantly higher bid that is 24% over the engineers estimate would not only be detrimental to our company but also to the taxpayers of the City of Toronto. It is crucial to consider the broader context and the principles of efficiency and fiscal responsibility.

In the interest of fairness and prudent financial management, we urge you to reconsider this decision. Choosing a qualified and competitive bidder at a lower cost aligns with the values of accountability and transparency that we hold dear.

We remain committed to upholding the highest standards of integrity and compliance in our business dealings with the City of Toronto. Your understanding and cooperation in this matter are greatly appreciated.

Should you require further clarification or documentation from our end, please do not hesitate to contact me directly. Thank you for your attention to this urgent matter, and I

look forward to a resolution that serves the best interests of all parties involved.

The content of this email and any attachments are private and confidential. If you are not the intended recipient(s) or have otherwise received this email in error, please delete the email and inform the sender as soon as possible. This email may not be disclosed, used or copied by anyone other than the intended recipient(s). Any opinions, statements or comments contained in this email are not necessarily those of the Verdi Alliance Group of Companies. If you wish clarification of any matter, please request confirmation in writing.

We take precautions to minimise the risk of this email containing a software virus but you should use virus checking software.

April 26, 2024

Sent Via Ariba (2 pages)

Alliance Verdi Civil Inc.
27 Simpson Road
Bolton, Ontario L7E 1E4

Attention: Mr. Ryan Pistol Kors,

Re: Request for Tender Doc4430179988
Rehabilitation of Eastern/Adelaide Bridges (ID264, ID263, ID246, and ID266)
Closed on April 12, 2024

Dear Ryan Pistol Kors,

Thank you for your submission in response to the above Request for Tender (RFT). We appreciate the time and effort your firm has invested in this RFT, but regret to inform you that your bid submission has been found non-compliant for the following reason:

Refer to Part 4 Form C – Experience and Qualifications states but not limited to the following:

1. Experience Requirements

The Supplier must provide reference projects for the purpose of confirming the Supplier's experience and track record of success. The Supplier shall provide the requested references for clients who have obtained construction services. Failure to provide verifiable, compliant experience shall result in the bid being declared non-compliant.

The Supplier, as the General Contractor (as defined in the Construction Act), must have achieved substantial performance (as defined in the Construction Act) on their reference projects in order to be considered for award of the Contract (all dollar amounts are in Canadian dollars and exclude HST):

- a. The Supplier, as the General Contractor (as defined in the Construction Act), must have achieved substantial performance (as defined in the Construction Act):
- i. At least two (2) bridge construction projects in Canada with each project value of minimum \$10,000,000.00 Canadian dollars and exclude HST in the last **ten (10) years**.

OR

- ii. At least three (3) bridge construction projects in Canada with an aggregate value of minimum \$21,000,000.00 total Canadian dollars and exclude HST in the last **ten (10) years**, with no individual project less than \$7,000,000.00.

In your Bid response Project Reference line item 4.3.2.1 Project 1 did not meet the minimum project value of \$7,000,000.00 Canadian Dollars (excluding all applicable taxes) as per your bid response below.

- 4.3.2.1.4 Project Value \$5,500,000.00

As this was a mandatory requirement, your Bid submission cannot be considered further. Therefore, Alliance Verdi Civil Inc. is deemed non-compliant with the mandatory experience requirement of this Tender.

All firms are entitled to a debriefing (formal or informal), upon written request within sixty (60) calendar days following the date of the contract award notification, to obtain feedback on why their bid was not successful.

If you would like to seek a resolution of any pre or post award dispute you can do so by contacting the Chief Purchasing Officer by email. Pursuant to the Pre-Award and Post Award Dispute Procedure a pre-award dispute, where the Supplier has been declared non-compliant, should be sent to the CPO within five (5) business days of being declared non-compliant.

For more information on this process, you can refer to Part 1, Section 3.10 Bid Protest Procedure of the Request for Tender Doc4430179988 or visit our website at: <https://www.toronto.ca/wp-content/uploads/2017/08/8f6e-Pre-Award-and-Post-Award-Dispute-Procedures.pdf>

In closing, we again thank you for your interest in this RFT and invite you to submit Bids for any future initiatives the City of Toronto may advertise.

If you have any further questions, please do not hesitate to contact Kenan Bachir at Kenan.Bachir@toronto.ca or 416-392-1261.

Yours truly,

DocuSigned by:

B592EA47932E4CA...

Marie Reid
Manager
Infrastructure & Development Services
Purchasing Client Services
Purchasing & Materials Management Division

Contractor's Qualification Statement

Standard Construction Document

CCDC 11 – 2019

CONFIDENTIAL

APPENDIX A

Key construction projects completed in the past five years

Project Title: 16 Mile Creek Bridge

Location: Highway 25, north of Britannia Rd, Milton, Ontario

Date Project Substantially Completed: October 2023

Date Project Completed: October 2023

Project Value at Completion: \$ 9,500,000.00

Project Manager: Carmine Puzzo

Project Superintendent: Michael Bonacci

Owner: MP3 Cost Sharing Trustee Inc.

Contact Person: Myron Pestaluky

Phone:

E-mail: myronp@deltaurban.com

Consultant: R.J. Burnside & Associates Limited

Contact Person: Jeremy Cober

Phone: 705-797-4272

E-mail: Jeremy.Cober@rjburnside.com

Other Party, if applicable:

Contact Person:

Phone:

E-mail:

Contract Type: (e.g. Design-Bid-Build / Construction Management / Design-Build, Prime Contractor/Subcontractor)
Bid Build, Prime Contractor

Description of Project and Scope of Services:

Construction of a new bridge structure, 180m in length, over 16 Mile Creek. Work included foundation, substructure and superstructure construction, parapet walls, expansion joints, waterproofing and paving. Project involved working over a watercourse and environmental control measures.

Remarks: