

COMMITTEE OF THE WHOLE – OCTOBER 6, 2008

AWARD OF PROJECT – RFP08-168 **SELECTION OF CONSULTANT** **BLACK CREEK OPTIMIZATION STUDY**

Recommendations

The Commissioner of Engineering and Public Works in consultation with the Director of Reserves and Investments and the Director of Purchasing Services recommends:

1. That the budget for Capital Project DT-7004-07 be increased from \$77,000 to \$170,000 to cover the estimated cost of completing the Black Creek Optimization Study with funding from Development Charges;
2. That the engineering consulting firm of Gartner Lee Limited be retained to provide the necessary engineering services in connection with the completion of the Black Creek Optimization Study at an estimated cost of \$149,823 excluding G.S.T.;
3. That a contingency allowance in the amount of \$15,000 excluding G.S.T., be approved within which the Commissioner of Engineering and Public Works or his designate is authorized to approve amendments to the Contract;
4. That the inclusion of this matter on a Public Committee or Council agenda with respect to increasing the capital budget identified as Black Creek Optimization Study is deemed sufficient notice pursuant to Section 2(1)(c) of Bylaw 394-2002; and
5. That the Mayor and Clerk be authorized to sign an Engineering Services Agreement with Gartner Lee Limited.

Economic Impact

Based on the results of a Request for Proposal process, the undertaking of the Black Creek Optimization Study is estimated to cost \$170,000, which exceeds the approved 2007 Capital Budget (Project No. DT-7004-07) amount of \$77,000 for this study by about \$93,000.

Staff has worked in close consultation with the Toronto and Region Conservation Authority (TRCA) in estimating the budgetary requirements for this Study. It was initially anticipated that the City of Toronto would jointly complete the Study with Vaughan, thereby providing 50% of its funding. However, TRCA Staff have now advised that the City of Toronto has proceeded independently with other similar studies dealing with the Black Creek sub-watershed south of Steeles Avenue and therefore will no longer be a partner in the study. Accordingly, it is recommended that the budget for this Class EA study be increased by \$93,000 to cover this funding shortfall and to ensure that there are sufficient funds to complete the study.

Communications Plan

The Black Creek Optimization Study will include a comprehensive public consultation process involving all affected stakeholders. The public consultation process will be conducted in consultation with Staff and the Ward Sub-Committee in accordance with the Master Plan requirements of the Municipal Class Environmental Assessment (Class EA) process. The Notice of Study Commencement will be issued as a first point of contact with the public and relevant stakeholders. This notice will be placed in local press and is intended to allow the public to participate from the beginning of the study, resulting in a proactive, transparent consultation process. In addition, a communications database will be established and kept up to date of all agencies, stakeholders, property owners and other individuals contacted over the duration of the study.

Purpose

The purpose of this report is to seek Council approval to retain Gartner Lee to complete the Black Creek Optimization Study pursuant to Request for Proposal RFP08-168, and to increase the approved funding for Capital Project No. DT-7004-07.

Background - Analysis and Options

The Black Creek sub-watershed within Vaughan covers approximately 1,500 hectares and is fully urbanized from its headwaters within Block 39 to Jane Street at Steeles Avenue as shown on Attachment No. 1.

Some of this urbanization occurred prior to the implementation of modern storm water management controls. The flows through the Black Creek sub-watershed during recent intense storm events have illustrated the need to implement cost-effective retrofit and stream rehabilitation projects to improve the quality and quantity of flows in Black Creek. With additional development and re-development proposed, a more specific assessment of water management needs and opportunities is required to reduce the impact in the future on infrastructure and property.

The TRCA has been working with the City of Vaughan to rehabilitate and enhance the environmental conditions in deteriorated streams within urbanized areas such as Black Creek. The City is committed to developing and implementing a regeneration plan for the Black Creek. This plan for regeneration will not only improve the environmental conditions within the creek and valley system but will provide reasonable protection against accelerated erosion rates and flooding while protecting municipal infrastructure and private property. The study will follow the Municipal Class Environmental Assessment Master Planning process covering, as a minimum, phases 1 and 2 with full stakeholder and public involvement in accordance with the Environmental Assessment Act.

The 2007 approved Capital Budget Project No. DT-7004-07 provides for the completion of the Black Creek Optimization Study with funding from City-wide Development Charges.

In August 2008, the Purchasing Services Department issued Request for Proposal RFP08-168 (RFP) for the retention of a consulting engineering firm to assist the City in undertaking the Black Creek Optimization Study. In accordance with the City's Purchasing Policy for projects of this magnitude, the RFP was publically advertised using the following publication sources:

- Vaughan Perspective (City Page)
- Electronic Tendering Network
- Ontario Public Buyer's Association

In response to the RFP, thirteen consulting firms were issued RFP packages. Six proposals submissions were received on September 5, 2008 from the following engineering consulting firms:

- Greenland Consulting
- The Municipal Infrastructure Group
- Gartner Lee Limited
- Aquafor Beech Limited
- Cole Engineering Group Limited
- Valdor Engineering Inc.

All Proposals submitted were considered compliant and further evaluated by the evaluation committee comprising of staff from the City and TRCA. The proposals were evaluated based on the following criteria as provided in the RFP document:

- Project Understanding and Approach – 30%
- Work Plan and Project Management – 30%
- Firm Qualifications and Staff Experience – 20%
- Engineering Fees – 20%

Based on the evaluation committee’s review of the Proposals, it was determined that Gartner Lee scored the highest ranking, successfully fulfilled all of the City’s technical requirements and qualifications related to the project, and had the best overall proposal. As a result, the committee is satisfied that Gartner Lee meets all required qualifications to successfully complete the Black Creek Optimization Study.

The total estimated cost to complete the Class EA study including engineering consulting services, a contingency allowance and applicable taxes (G.S.T. is 100% recoverable), is \$169,767.70 and is calculated as follows:

Gartner Lee Limited

Total Cost	\$149,823.00	
Contingency Allowance (10%)	<u>\$ 15,000.00</u>	
Sub-Total	\$164,823.00	
G.S.T. (5% amount is 100% recoverable)	\$ 8,241.15	
Treasury Administration (3%)	<u>\$ 4,944.69</u>	
Total	\$178,008.80	
Less G.S.T. Recoverable	<u>\$(8,241.15)</u>	
Total Cost	\$169,767.70	(Rounded \$170,000)

Given the anticipated level of public interest in this study, it is recommended that a contingency allowance of 10% be carried to cover unexpected costs which may arise during the course of the study.

Relationship to Vaughan Vision 2020

In consideration of the strategic priorities related to Vaughan Vision 2020, the recommendations of this report will assist in:

- Enhancing productivity, cost effectiveness & innovation
- Enhancing and ensuring Community Safety, Health and Wellness
- The pursuance of excellence in service delivery;
- Leadership initiatives and promotion of environmental sustainability;
- Effective governance; and
- Planning and managing growth, and economic vitality.

This report is therefore consistent with the priorities previously set by Council.

Regional Implications

The Region of York will be identified as one of the key public agency stakeholders on all notification lists associated with this Study. As such, it is expected that Regional Staff will be involved throughout the duration of the study and will provide input and comment as required to ensure its successful completion.

Conclusion

The completion of the Black Creek Optimization Study will result in the development of a preferred storm water management and restoration plan for the sub-watershed. This will include a combination of various works addressing site-specific issues and function, in an integrated manner to maximize the overall benefits to the Black Creek corridor while protecting existing municipal infrastructure and private property.

The study will follow the Municipal Class Environmental Assessment Master Planning process covering, as a minimum, Phases 1 and 2 with full stakeholder and public involvement in accordance with the Environmental Assessment Act. The public will be involved from the start of the project through its completion. In addition, a communications database will be established and kept up to date of all agencies, stakeholders, property owners and other individuals contacted over the duration of the study.

Based on the results of the Request for Proposal RFP08-168, it is recommended that Gartner Lee Limited be retained by the City to assist in the completion of the Black Creek Optimization Study. Funding for this project will be from the 2007 Capital Budget (Project No. DT-7004-07) subject to Council's approval of the required additional funding.

Should Council concur with the additional funding request, this action would be considered as an amendment to the Capital budget. Pursuant to the Municipal Act, before amending a budget, a municipality shall give notice of its intention to amend the budget at a Council meeting. Where a Capital project has been subject to a public meeting during the adoption of the approved Capital budget and where additional funding is required to complete the approved works, inclusion of the matter in a Staff report requesting additional funding on a Public Committee or Council Agenda is deemed sufficient notice pursuant to Section 2(1)(c) of Bylaw 394-2002.

Attachment

1. Study Area Map

Report prepared by:

Saad Yousaf, Storm Drainage Engineer, Ext. 8251

Michael Frieri, Development Supervisor, Engineering Planning & Studies, Ext. 8729

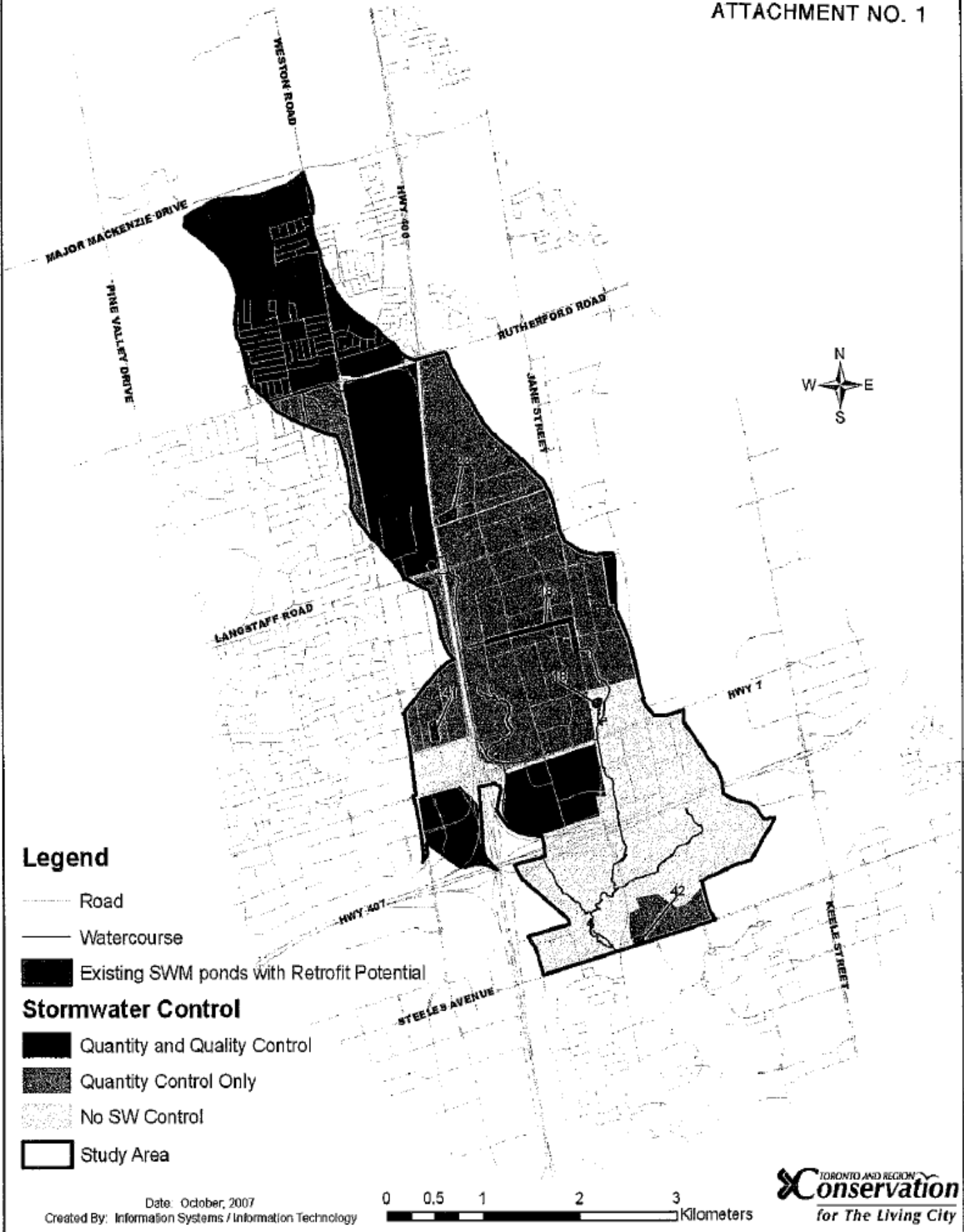
Respectfully submitted,

Bill Robinson, P. Eng.
Commissioner of Engineering
And Public Works

Andrew Pearce, C.E.T.
Director of Development /
Transportation Engineering

STUDY AREA MAP

ATTACHMENT NO. 1



Legend

- Road
- Watercourse
- Existing SWM ponds with Retrofit Potential

Stormwater Control

- Quantity and Quality Control
- ▨ Quantity Control Only
- ▨ No SW Control
- Study Area

Date: October, 2007

Created By: Information Systems / Information Technology

0 0.5 1 2 3 Kilometers