



Report to: Development Services

Date Report: March 6, 2012

SUBJECT: Award of Proposal 221-R-11-Consulting Services for the
Tributary #5 Environmental Assessment Study

PREPARED BY: Alan Brown, Director of Engineering ext. 7507
Rob Slater, Senior Construction Buyer ext. 3189

RECOMMENDATION:

- 1) **THAT** the report entitled “Award of Proposal 221-R-11-Consulting Services for the Tributary #5 Environmental Assessment Study”, be received;
- 2) **AND THAT** the contract for Tender 221-R-11-Consulting Services for the “Tributary #5 Environmental Assessment Study” be awarded to the highest ranked, second lowest priced, bidder, URS Canada Inc., in the amount of \$93,016.78 inclusive of HST;
- 3) **AND THAT** that a separate purchase order in the amount of \$ 15,000.00 inclusive of HST be issued for contingency to cover any additional consultation costs and that the Director of Engineering be authorized to approve the expenditure of this contingency amount up to the specified limit in accordance with the Expenditure Control Policy;
- 4) **AND THAT** the Engineering Department Project Management fee in the amount of \$12,962.01 inclusive of HST be funded from the Markham Centre Mobility Hub Account as detailed in this report;
- 5) **AND THAT** a new Engineering Department 2012 Capital Budget be created for this study in the amount of \$120,978.79 inclusive of HST to be funded from the Town Wide Development Charges;
- 6) **AND THAT** the enhancements to the tributary arising from the Environmental Assessment study be included in the future Development Charge Bylaw Update;
- 7) **AND THAT** staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

To award the contract for Consulting Services for an environmental assessment study for the Tributary #5 in Markham Centre and amend the Engineering Departments 2012 Capital Budget to fund such.

BACKGROUND:

Tributary #5 as noted in Attachment "A" is a tributary to the Rouge River with a drainage area of approximately 45ha.

In 2001 the Town retained a consultant to undertake a Master Stormwater Management Strategy and Class Environmental Study for the lands draining to Tributary #5. The study recommended as per Attachment "B" that the tributary be relocated along Kennedy Road and Highway 407 in an open watercourse.

The Adamson land use concept for the east portion of Markham Centre which was endorsed by Council in March 2011 has 3 east/west grade separations with the GO line which requires the roads and development blocks to be elevated. This results in the existing tributary being located $\pm 10\text{m}$ below the future development grade making an open watercourse almost impossible to access and maintain. In addition it would have limited compatibility with the surrounding development.

In addition the drainage area between Highway 407 and CN Rail is currently being considered for additional GO parking and the extension of Miller Avenue. This study will review the Tributary #5 ultimate location and treatment.

The Markham Live concept prepared by Adamson for the Town lands north and south of YMCA Blvd contemplate further development around the Pan Am site which will necessitate the relocation and/or piping of Tributary #5.

At a Markham Live Committee meeting, staff were requested to investigate the feasibility of the relocation and piping of Tributary #5 from Main Street to Highway 407. Staff subsequently met with the TRCA who advised of the applicable TRCA policies and Provincial regulations (O.R. 166/06) pertaining to adjustment of watercourses. In addition to TRCA approval, Ministry of Natural Resources (Endangered Species Act), Ministry of Transportation and the Federal Department of Fisheries and Oceans (Fish Habitat) approvals are required.

The Class EA study will review and develop a list of options including but not limited to:

- a) Maintain current location and enhance.
- b) Maintain current location and enclosure.
- c) Realignment with open ditch along the 407 and Kennedy Road
- d) Realignment with closed ditch along the 407 and Kennedy Road.
- e) Other options

Although there have been numerous relocations of watercourses in a natural channel, the enclosure of a watercourse is a significant environmental alteration that must be based on equally significant land use justification. If an enclosure is permitted by the environmental agencies it would be on the basis of an offsetting net benefit enhancement plan.

PROPOSAL CALL INFORMATION:

A Request for Proposal #221-R-11 was issued to the market on October 24, 2011 for the Class EA Study for Tributary #5. The results of the proposals received are summarized below:

BID INFORMATION:

Advertised	ETN
Bid closed on	November 11th, 2011
Number picking up documents	14
Number responding to Bid	11

PROPOSAL EVALUATION:

The Evaluation Team was comprised of Engineering Staff, with Purchasing Staff acting as the facilitator. The technical evaluation was performed based on pre-established evaluation criteria as listed in the Request for Proposal: 25% past experience of the consulting firm, 20% qualifications of the lead consultant and project team, and 25% project delivery, totaling 70%. The price component was completed by the purchasing department separately which totalled 30% and brought the total analysis to 100%.

The resulting scores are as follows;

Company	Total Points	Ranking
URS Canada	72.15	1
Aquafor Beech	68.56	2
AECOM Canada	65.00	3
SRM Associates	57.17	4
EXP Services	54.33	5
Dillon Consulting	53.79	6
Masongsong Associates	49.42	7
R.J. Burnside	48.90	8
Genivar Inc.	42.00	9
McCormick Rankin	39.66	10
Stantec Consulting	32.00	11

Prices ranged from \$82,425.60 to \$192,560.45 inclusive of HST.

Staff recommends awarding the contract to URS Canada Inc. who had the highest in the technical evaluation (46 out of 70) and was the second lowest bid price. Their submission indicates that they are qualified, have successfully completed similar projects, are supported by the necessary technical sub-consultants, and have a good understanding of the scope, constraints and timing of our project. The Purchasing Department has completed the reference checks and confirms that all references have provided excellent responses.

Schedule

The TRCA will require a 3 season review/evaluation of the tributary before any options are finalized. Commencing this study in April 2012 will result in recommendations of a preferred option not being available until spring 2013 at the earliest. Consultation with the approval agencies (TRCA, MNR, DFO, MTO) and a public meeting will result in completion of this study and filing of the class EA study with the MOE by late 2013 assuming there are no significant issues that need to be resolved with the agencies.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

The Engineering Departments 2012 Capital Budget has to be amended to include this project at a cost of \$120,978.79 inclusive of HST. This project can be funded from the Town Wide Hard Development Charges Bylaw under the studies allowance. With the update of the Development Charges Background Study in 2012/13 staff will incorporate the recommended Tributary #5 improvements, arising from the Environmental Assessment study into the Development Charges Bylaw.

ALIGNMENT WITH STRATEGIC PRIORITIES:

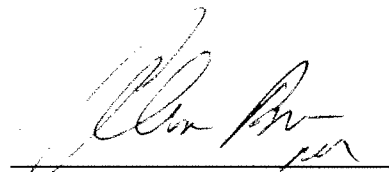
This project is in line with the Town's strategic focus relating to Growth Management, and Municipal Services.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Finance Department have been consulted and their comments have been incorporated.

RECOMMENDED BY:

Alan Brown, C.E.T.
Director of Engineering



Jim Baird, M.C.I.P., R.P.P.
Commissioner, Development Services

Attachment "A" – Tributary #5 Area

Attachment 'A' Tributary 5 Catchment Area

