



**STAFF REPORT  
ACTION REQUIRED**

**15.**

**Don Mills Branch – Award of Tender**

<b>Date:</b>	June 24, 2013
<b>To:</b>	Toronto Public Library Board
<b>From:</b>	City Librarian

**SUMMARY**

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To request Toronto Public Library Board approval to employ the services of a General Contractor for the renovation of the Don Mills Branch, as per Toronto Public Library’s (TPL’s) drawings and specifications, commencing July 2013.

**RECOMMENDATIONS**

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**The City Librarian recommends that the Toronto Public Library Board:**

1. awards the contract to the lowest bidder, J.D. Strachan Construction Ltd, for the renovation of the Don Mills Branch, at a cost of \$795,630, which includes a contingency of \$72,330 [excluding Harmonized Sales Tax (HST)]; and
2. authorizes and directs the appropriate Library staff to take the necessary action to give effect thereto.

**FINANCIAL IMPACT**

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The total amount of \$795,630, which is made up of the tender amount of \$723,300 plus the contingency of \$72,330 (excluding HST), is part of the TPL’s approved capital budgets for the Multi-branch Renovation Program (SOGR), \$610,000 and Self-Service Circulation, \$250,000.

The Director, Finance and Treasurer, has reviewed this financial impact statement and is in agreement with it.

**COMMENTS**

The Don Mills Branch renovation and self-service circulation implementation is an approved project in the Library’s Multi-branch Renovation Program (SOGR) and Self-Service Circulation capital budgets.

The project is required to give Don Mills Branch the operational efficiency needed to meet the needs of existing customers and attract new ones. The project involves interior renovations to approximately 2,000 sq/ft on the ground floor and lower levels, including integration of a double inlet self-service check in and automatic book sorter in the lobby, new public service and information desks and new self-check stations, new lighting, flooring, wall finishes and modifications to the existing main entrance stairwell to create a more visually open connection between the upper and lower floor levels. Exterior renovations include replacement of the metal cladding along the south and west elevations and repairs to the concrete sidewalk at the main entrance and at the east exit from the lower level.

The project will include temporary public access to enable continuity of library service during the construction period.

### **Architects for the project**

Ken Fukushima Architecture was hired to provide architectural services for the Don Mills renovation project in June 2012, through a competitive request for quotation process (RFQ).

### **Pre-qualification of general contractors**

The pre-qualification process precedes the call for tender where the nature and complexity of the work involved warrants the effort to pre-select the most experienced and qualified general contractors. On January 10, 2013, an advertisement was placed in the Daily Commercial News for general contractors interested in bidding on this project.

General contractors interested in being pre-qualified to bid on the project had to submit the following:

- Completed CCA Document no. 11, Contractor's Qualification Statement (a standard form for obtaining information on capacity, skill and experience of contractors bidding on building construction projects);
- Resumes of management to be assigned to the project;
- Letter from a nationally recognized surety company stating total bonding limit, current bonding committed, and confirming availability of required bonding for this project: 50% performance bond and 50% labour & material payment bond;
- Detailed description of the contractor's health and safety policy and written confirmation that all health and safety policies will be followed for the duration of the project;
- Submissions of the most recent CAD7 – Calculations and Profiles issued by WSIB and CSA (the CAD-7 program compares an expected accident cost and expected frequency count to the actual numbers for a firm);
- Indication from the proponent of any pending litigation or dispute involving the pre-qualifying firm;
- Current Certificate of Insurance; the Library requires a minimum third-party liability of \$2 million;
- Three references from previously completed and/or presently under construction library facilities or similar projects such as community centres, schools;
- Written acceptance that the General Contractor and all their sub-contractor's will comply with the City of Toronto's Fair Wage Policy.

The pre-qualification process included an assessment by the Architects and Library staff, based on the submitted documentation and library experience of previous performance in a number of areas, including but not limited to: similar work, scheduling, construction management, workmanship, and final completion, correction of deficiencies and health and safety. Contractors with a negative assessment of submission requirements or previous performance were not recommended as pre-qualified. A total of 13 submissions were received. Upon evaluation of the bidders' submissions, eight General Contractors were identified as best qualified for the Don Mills project. The evaluation was conducted by Library staff and the Architects.

### **Call for Tenders**

A Call for Tenders is used to obtain bids for construction, whenever the requirements can be precisely defined and the expectation is that the lowest bid meeting the requirements specified in the Call will be accepted. On May 17, 2013 the Call for Tenders was issued to the eight pre-qualified bidders. The bid documents, prepared by the Architects, were supplied to all prequalified bidders. All bidders had to attend a mandatory information meeting on May 23, 2013. The bid documents comprised the following documents:

- List of Prequalified Bidders;
- Instruction to Bidders;
- Available Project Information;
- Stipulated Price Bid Form;
- Unit Prices Bid Form Supplement;
- Alternative Prices Bid Form Supplement;
- List of Subcontractors Bid Form Supplement;
- Addenda issued prior to Bid Closing Time;
- Agreement between Owner and Contractor;
- Definitions given in the agreement;
- General Conditions of the agreement;
- Amendments to the agreement;
- Specifications as listed in the project manual for this project;
- Schedules as listed in the project manual and as listed in the list of drawings;
- Drawings as listed in the list of drawings.

On June 6, 2013, the TPL received tenders from seven of the pre-qualified General Contractors. The Architects and Library staff analysed the three lowest bids (three in case the lowest bid did not meet all requirements) to ensure that all requirements were met:

- Pre-qualified bidder;
- Attended mandatory meeting;
- Submitted a hard copy of the bid in a sealed envelope, which included:
  - a bid bond form, for 10% of bid price, valid for 120 days;
  - an agreement to bond issued by bonding company (performance and labour & material bond);
  - unconditional bid;
  - completed & sealed stipulated price bid form;
  - acknowledges all addenda issued as part of the call for tenders;

- completed & dated unit prices bid form supplement;
- completed & dated alternative prices bid form supplement;
- completed & dated list of subcontractors bid form supplement;
- confirmation of pre-qualified subcontractors, where required.

### **Award of tender recommendation**

For the recommended contract award, the following requirements have been met:

1. The bidder recommended for award, is the lowest bidder, meeting all tender requirements, and was the lowest bid received;
2. The Director, Finance and Treasurer agrees with the Financial Impact information;
3. Library staff have reviewed the submission and found the price to be reasonable and within the available budget;
4. The tender process was conducted in accordance with the Board's Procurement Policy, including a public call for pre-qualification of general contractors, a tender process in accordance with instructions to the bidders and a public opening of bids.

The recommended bidder has successfully completed the following Toronto Public Library projects: Pape/Danforth Branch renovation; Performance Stage, Auditorium and Entrance/Workroom renovations at North York Central Library; and most recently the S.P.O.T. addition at Malvern Branch. The references were checked by the architect and were satisfactory.

### **CONTACT**

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### **SIGNATURE**

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Jane Pyper  
City Librarian