



**City of Kingston
Information Report to Council
Report Number 16-050**

To: Mayor and Members of Council
From: Jim Keech, President and CEO, Utilities Kingston
Resource Staff: Mark Van Buren, Director of Engineering
Date of Meeting: January 12, 2016
Subject: Preliminary Design for the Third Crossing of the Cataraqui River
Award of Contract – Supplemental Information

Executive Summary:

In regards to Report #16-010, staff has prepared the following information report in response to the motion received on December 15, 2015, in that the decision to award the preliminary design of the Third Crossing to be:

Deferred to the January 12, 2016 Council Meeting in order to obtain more information in relation to the RFP evaluation.

This report provides information in regards to the RFP evaluations that were carried out by the City review team for the preliminary design of the Third Crossing and further supplements the recommendation Report to Council #16-010.

Recommendation:

This report is for information purposes only.

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Authorizing Signatures:

ORIGINAL SIGNED BY PRESIDENT & CEO, UTILITIES KINGSTON

Jim Keech, President & CEO, Utilities Kingston

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

Gerard Hunt, Chief Administrative Officer

Consultation with the following Commissioners:

Cynthia Beach, Corporate & Strategic Initiatives	Not required
Lanie Hurdle, Community Services	Not required
Denis Leger, Transportation, Facilities & Emergency Services	Not required
Desiree Kennedy, Chief Financial Officer & City Treasurer	Not required

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Options/Discussion:**Background**

A Request for Proposals (RFP) was issued on October 7, 2015 seeking the provision of professional engineering services from qualified firms to complete the preliminary design of the Third Crossing. The RFP closed on November 4, 2015 with a total of five (5) proposals received. A City review team evaluated each of the proposals based upon criteria established and specifically documented within the RFP document. The City review team concluded that the proposal provided by JL Richards, which was not the lowest priced proposal for the work, ranked first in scoring, and offered the most comprehensive submission in response to the RFP and the best value for the City of Kingston to complete the preliminary design work for the Third Crossing.

At the meeting of Council held on December 15, 2015, a report from staff (Report Number 16-010) was presented to Council with a recommendation to award the preliminary design contract for the Third Crossing to JL Richards. Council subsequently passed a motion for staff to provide supplemental information in regards to the RFP evaluations that was carried out by the City review team and to report back to Council for the January 12, 2016 session. This information report is intended to provide Council with a more detailed elaboration of Report #16-010.

1. Request for Proposal Process

As noted, this procurement was managed by issuing a Request for Proposals or “RFP”. A RFP is a procurement document used to request suppliers of goods or services (i) to supply solutions for the delivery of more complex products or services or (ii) to provide alternative options or solutions. Unlike tendering, it is a process that uses predefined evaluation criteria in which price is not the only factor. Instead, the RFP relies on consideration of all aspects of proposals, compares them against an evaluation standard in the documents as issued, and ranks potential consultants relative to each other in accordance with that standard. The use of the RFP has continued to increase in the municipal procurement venue over the past decade in an effort to address the increasingly complex project requirements that are inherent today in many infrastructure projects. Requirements around accessibility, environmental considerations, safety, and sustainability measures are all factors that are increasing the use of the RFP tool.

When applied to an engineering service contract, this method of buying can also be described as a qualification based selection or “QBS” process in that the focus is to ensure the City is acquiring the services of a firm best qualified to work on the project for the best value. Value in this context includes the overall resource requirements of a proposal including factors such as cost savings, time savings, and risk reduction. QBS also focuses on the value proposed for the given project as opposed to just price point. Given that all proposals were received from established and reputable firms, this method helps to identify which proposal is the best suited to meet the City’s needs in a specific situation. In the present case, in addition to the standard considerations of price and accessibility, three key criteria were identified as providing the City the means to establish which proposal would best serve the needs of the Preliminary Design stage assignment:

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- Experience, Qualifications and Availability of Team Members
- Understanding of Objectives, Proposed Work Plan, Schedule, and Level of Effort
- Creativity, Innovation and Vision, Quality of Approach and Methodology

Through seeking out responses to these specific topics, the City effectively requested proposal detail information related to both the business methodology of each proposed team and what they consider as their business advantages. Requesting firms to be so open in their proposal drafting – to put all their cards on the table - requires a level of trust in response from the City of Kingston. This is due to the risk posed to each firm were their approach to problem solving be made known to their competitors. For that reason, where the specific risks are sufficiently clear, the Municipal Freedom of Information and Protection of Privacy Act sets out an exception from where public disclosure records could prejudice competitive position, result in similar information no longer being supplied, or result in undue loss to a firm or gain to its competition.

2. Evaluation of Proposals

Proponents submitted proposals in response to the RFP objectives which were then evaluated against the RFP's established evaluation criteria. The City review team conducted a preliminary round of evaluations/interim scoring and a final round of evaluations/scoring. Preliminary evaluations and interim scoring was conducted in order to determine which of the five proponents would be invited for an interview.

The interim rankings were:

1. JL Richards
2. GHD Limited
3. MMM Group
4. Buckland and Taylor
5. Brown Co /BT Engineering

Representatives from the top three consulting firms were shortlisted and invited to meet individually with the City review team to provide a 30-minute presentation that highlighted elements of their proposal followed by a question period conducted by the City review team that provided an opportunity to confirm, clarify, and further explore elements of the proposals submitted by these three shortlisted consultants. Information provided as part of these consultant interviews was then used as an additional means to finalize the proposal scores of these three consultants.

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The final evaluation and scoring for each of the Proponents are as follows:

Scoring Matrix

Lead Consultant	Total Score	A (20)	B (22)	C (30)	D (3)	E (25)	Rank
J.L Richards	80	19	21	24	1.5	14.4	1
GHD Limited	74	17	15	20	3	18.8	2
MMM Group	69	15	12	16	1	25.0	3
Buckland & Taylor	60	6	12	16	1.5	24.4	4
Brown Co/BT Eng	50	8	11	13	3	15.3	5

- A. **20 Points** – Experience, Qualifications and Availability of Team Members
- B. **22 Points** – Understanding of Objectives, Proposed Work Plan, Schedule, Level of effort
- C. **30 Points** – Creativity, Innovation and Vision, Quality of Approach and Methodology
- D. **3 Points** – Accessibility for Ontarians With Disabilities (AODA)
- E. **25 Points** – Financial Proposal and Contractual Acknowledgement

3. Analysis

The Evaluation Criteria groups were developed in a manner which requested Proponent’s to demonstrate they interpreted and understood the RFP objectives; created a vision that guides all aspects of their project; developed an approach and methodology of how to fulfill their vision through their proposed work tasks; highlighted their accumulated experience, and proposed an efficient and coordinated work plan and schedule that would complete the RFP objectives and project deliverables within their original scope, budget, and schedule.

As described elsewhere in this report, City staff grouped the 2nd, 3rd, 4th and 5th ranked consultants in an “other consultants” group to provide anonymity of these consultants and their proposal information which promotes a level of fairness and discretion for analysis purposes. The following provides comparison between JL Richards and the “other consultants” group in regards to key aspects of the RFP objectives. This comparison exercise demonstrates the increased value that JL Richards provides the City of Kingston and discusses the increased risks of the other consultants compared to JL Richards.

Evaluation Criteria A

Experience, Qualifications and Availability of Team Members (20 Points)

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Project Team

In regards to Third Crossing Environmental Assessment (EA), JL Richards (and some of their key sub-consultants) possess superior knowledge, experience, and continuity since they were the consulting team for the EA who will again form part of JL Richard's team for the preliminary design for the Third Crossing. JL Richards (JLR) is leveraging all of their past experience from the EA assignment and possess an in-depth knowledge and understanding of the EA outcomes which enables their team to 'to hit the ground running'. The other consultants were not involved in the Third Crossing EA and would require project time to familiarize and 'catch up' on EA correspondence, stakeholder and Agency discussions, municipal correspondence and project file information.

Moreover, JLR has shown growth from their past EA team by adding Parsons as their structural bridge engineering expertise which brings an experienced and fresh perspective to the structural component of the assignment. Parsons (formerly Delcan) performed both the design and construction administration of the \$48 million dollar Vimy Memorial Bridge in Ottawa and has also performed many other signature bridge structures both regionally and internationally. In addition, Parsons has strengthened their team with the addition of the City of Ottawa's former Vimy Memorial Bridge design and construction project manager to act in an advisor role to the structural lead engineer. The other consultants have reputable and qualified structural engineers on their team as well however, during the EA, Parks Canada stated that the Third Crossing approvals would be measured against similar processes that occurred on the Vimy Memorial Bridge. This positions Parsons as the most qualified structural engineering firm and provides the highest value to the City of Kingston since Parsons will leverage their past Vimy Memorial experience and apply it to this preliminary design assignment for the Third Crossing.

JLR's geotechnical sub-consultant Golders was the geotechnical consultant on both the Third Crossing EA and the Vimy Memorial Bridge in Ottawa. This provides the highest value to the City of Kingston since Golders will leverage this past experience and staff insight on the complex geotechnical aspects of each of these projects and apply it to this preliminary design assignment. This is evident on the proposed level of effort of the geotechnical program that was described in JLR's proposal. The geotechnical consultants who formed part of the other consultant teams are also reputable firms and a comparison of the geotechnical programs is described later on in this report.

Score-able Project References

The RFP specifically requested that proponents provide project references of similar scope, magnitude, and relevance to the Third Crossing project. Project references and assigned staff that matched closely to the objectives of the RFP assignment received a higher score compared to project references that were less relevant. The RFP was clear to indicate that Proponents be selective of the projects that they reference since those would be the project references that would receive scores. Projects that were provided in brochures and other literature did not receive specific scoring with respect to project references but rather was used to prove consultant qualifications.

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JLR's project reference descriptions matched closely in relevance to the Third Crossing assignment. JLR clearly indicated who the high level consultant experts were in those referenced projects and who would be assigned key roles in the preliminary design assignment for the Third Crossing. Staff contends that the Vimy Memorial Bridge is the most relevant project that can be compared to the Third Crossing due to the fact that Parks Canada staff continuously compared the Third Crossing to the Vimy Memorial bridge (formerly known as the Strandherd-Armstrong bridge) during the Third Crossing EA process in which Parks Canada set the benchmark for Kingston to strive for in regards to protection of the UNESCO designation, design/construction aspects, and architecture, cultural and heritage considerations. The consultant team for the Vimy Memorial bridge which was comprised of Parsons (Delcan), DTAH, and Golders are all part of JLR preliminary design team for the Third Crossing, with the same staff members being used in both projects. In addition, the Burgoyne bridge in St. Catherines also had the same team members including DTAH, Golder and Parsons on that project. These two project references demonstrate a team that has worked well together on other regionally significant projects with efficiency and consistency that will be translated to the Third Crossing project. The other consultants project references:

- did not state what their staff roles were in project references;
- copied information from generic promotional brochures with no relevant descriptions relating to RFP requirements such as UNESCO, Rideau Canal requirements, and assigned staff;
- did not provide a comparable signature bridge project reference;
- did not provide references that involved Federal Agencies and First Nations stakeholders.

Evaluation Criteria B

Understanding of Objectives, Proposed Work Plan, Schedule, Level of Effort (22 Points)

The Proponents were required to describe their understanding of the assignment and to demonstrate their experience with implementing significant infrastructure projects within communities comparable to Kingston. Discussion inclusive of both project objectives and Proponent insight into their understanding was recommended. The RFP required that Proponents provide a work plan and schedule, including a breakdown of the major tasks and the level of effort of the identified team members in sufficient detail to allow a complete understanding as to how and by whom the work is to be carried out, and identification of deliverables and their submission dates.

Understanding of Objectives

Proponents needed to prove they could:

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- translate their level of understanding, approach, and methodologies into their work plan and schedule with a commensurate level of effort allocated to field investigations, desktop work, stakeholder discussions, and public engagement activities;
- deliver a top quality product that addressed RFP objectives, Agency and stakeholder requirements all within their proposed scope, cost, and schedule;
- minimize the level of risk throughout the project that is transferred into future phases;
- provide the best overall value to the City.

JLR's previous experience on carrying out the award-winning Third Crossing EA assignment provides continuity through to the preliminary design work. JLR's first-hand experience of a wide range of stakeholder issues provides a deep understanding of the development of the EA outcomes. As a result, the JLR work plan reflects a more holistic project delivery. JLR acknowledges that this is more than just a bridge project and that management of non-technical aspects of the project will require considerable effort and resources which is reflected in their work plan level of effort and time allocations. The other consultants stated that the project was more than just a bridge, but their proposals' described levels of understanding that either (i) overpromised what their proposed work plans and schedule could actually deliver or (ii) their work plan and understanding did not meet the expectations of the RFP objectives. As a result, the City review team believes that a lack of understanding of the project objectives will increase risk to the project, increase the potential for missing project objectives thereby leading to possible scope and budget increases, extended schedule, and/or shift more of the required work to future phases of the project.

Proposed Work Plan and Schedule and Level of Effort

The proposal provided by JLR had the best work plan and the best schedule of all of the proposals received. The JLR work plan was clear and very well coordinated with a project schedule that allowed the City review team to easily identify major tasks and sub-tasks containing sufficient detail to understand the work plan's intricacies in regards to level of effort and schedule coordination. The work plan was comprehensive with allocation of time and resources across the board in key areas that provided the City review team with a high level of certainty that JLR can accomplish all deliverables as required. This is evident in the work plan person-hour allocations in regards to stakeholder discussions, development of the cultural/heritage protection plan, deliverables development, geotechnical program, and stakeholder reviews/discussions. JLR's schedule met all deliverable dates and provided sufficient time for deliverable circulations to agencies and City of Kingston staff to allow thorough reviews. In the event that the project experiences delays, JLR's deliverable dates were scheduled in a manner that minimized risk of not meeting the overall March 2017 final deliverable date. The other consultants work plans and schedules were deficient in several key areas:

- did not include minimum amount of required RFP deliverable submissions;

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- schedule and work plans – too high level, confusing, illegible, no critical path identified;
- not enough time across key areas to ensure deliverables will be realized to the level indicated in the written portion of their proposal;
- the listing of sub-tasks under major task categories was not carried out on schedule;
- the work plan tasks and the schedule tasks was not coordinated;
- schedule did not provide sufficient time for Agency and City of Kingston staff to perform thorough reviews of submitted deliverables;
- proponents did not schedule key deliverable dates in a manner that minimized risk in the event the project's schedule experienced delays;
- unavailable schedule opportunity for additional field studies due to Agency requirements;
- inadequate time reserved to address anticipated/additional Agency discussions/process;
- little-to-no float time in the proposed schedule to mitigate for potential delays.

JLR has provided sufficient resources to meet RFP objectives and to achieve the required project deliverables. If JLR finds efficiencies in their work plan, field work, and/or stakeholder/agency discussions then the upset limit contract is structured to only pay for the work that was performed which reduces the overall cost of their financial proposal. On the other hand, having insufficient resources proposed on the project introduces a larger overall risk to the project. The other consultants deficiencies translate to increased risk to the project by providing insufficient resources to complete the assignment as per the RFP objectives and could lead to scope and budget increases, extended schedule, increased reliance on project assumptions, and/or shift more of the required work to future phases of the project.

Evaluation Criteria C

Creativity, Innovation and Vision, Approach and Methodology (30 Points)

The preliminary design project provides a unique opportunity for the Proponent to create a vision for a world class signature bridge and to provide examples of creative/innovative solutions they have used in the past on both technical and non-technical aspects of the assignment. The approach and methodology of the proposal should have supported the Proponent's vision and how it guided and carried out the Proponent's strategies, assumptions, and philosophies in order to complete this RFP assignment and obtain the necessary approvals.

Creativity, Innovation and Vision

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JLR developed a unique mission statement for this project that described their team's commitment to fostering a healthy and strong community presence through open and transparent discussions with stakeholders. JLR is committed to providing excellent value through state-of-the-art design and innovations facilitating continued prosperity for the residents in the present and in the future. JLR frequently referenced their mission statement values throughout the proposal on technical and non-technical aspects of the project. JLR provided examples of both practical and leading edge innovation/creative opportunities that can be incorporated into the design such as structural efficiencies, extended bridge service life strategies, contextual setting aesthetics and lighting, traffic and safety monitoring systems, and on-site/off-site constructability strategies. Some of the other consultants had expressed a vision and provided examples of creative and innovation solutions which were then reflected in their scores. The remaining other consultants did not express a vision and although they stated that the work they do is innovative and creative, and that the project was more than just a bridge, they did not provide sufficient examples of technical and non-technical innovative/creative solutions that would be included in their work which was then reflected in their resultant scoring.

Approach and Methodology

The work plan and schedule tables provided in each of the proposals provide work task information in a visual format as required in Evaluation Criteria B whereas the approach and methodology section in Evaluation Criteria C describes the work task information in a written format.

JLR's approach and methodology to the project is thorough and efficiently describes the manner in which they will accomplish their work tasks. JLR's proposal listed and described all work task categories which demonstrates that each category is equally critical to the success of this assignment. JLR's approach and methodology descriptions are then further supported by the level of effort (hours) that are allocated into their overall work plan and schedule thus providing a sound approach/methodology to work plan/schedule translation. The proposals provided by the other consultants also listed approach and methodology categories that of which varied from efficient to inefficient descriptions. Some work task categories were described well which provided the City review team with a good understanding of what the other consultants were proposing while categories that were less descriptive introduced uncertainty if the other consultants understood those particular RFP objectives and the commensurate resource allocations. In addition, the City review team had difficulty in matching the approach and methodology to work plan and schedule for some of the other consultant's proposals. In some cases proposals provided significant elaboration on approach and methodology that was then not reflected in a commensurate level of effort in their work plan; with other cases having no approach and methodology descriptions to support the work plan items. Lack of clarity and or incorrect interpretation of project approach and methodology add additional risk to the project with the possibility for scope and budget increases, schedule extensions, and lack of confidence in the original proposal and whether the other consultants can meet the RFP objectives.

Geotechnical Program

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The Third Crossing EA concluded that there will be a minimum amount of in-water piers needed to support the bridge. Industry best practices indicate that there should be at least one borehole advanced into the bedrock per pier location for bridges sometime prior to construction. The boreholes that are not carried out in the preliminary design phase will eventually need to be performed during future phases. In order to progress preliminary designs, the industry also understands that bedrock quality assumptions should be made on boreholes that are deferred to future phases. Those assumptions will remain until field investigations are performed in the future to verify that design assumptions are valid or need to be corrected. It is the latter scenario that increases risk to the project. The deferral of performing a majority of boreholes to the future may lead to design corrections and inaccurate cost estimating resulting in delays to schedule and increases to scope and budget of future phases of the project. In addition, the less field information that is obtained now increases the risk of producing less accurate designs, construction cost estimates and life cycle costing in future phases.

JLR's geotechnical program proposed the most in-water boreholes and the deepest penetration into the underlying bedrock of all proposals submitted. This provides an increased understanding of geotechnical elements for JLR's structural designers (Parsons) and reduces the amount of geotechnical unknowns and risk that is transferred to future phases of the project. The other consultants proposed less geotechnical investigations and shallower bedrock penetrations in their proposals compared to JLR. The other consultants had an opportunity to scope a more comprehensive geotechnical program but felt they proposed enough to satisfy their understanding of meeting their intent of the RFP objectives. The other consultants also expressed their comfort to transfer the majority of geotechnical in-water investigations to future phases of the project to save on costs on this assignment however the other consultants did indicate that they would be open to expanding their geotechnical program thus increasing their proposal price. JLR (Golder) stated that they could have proposed less geotechnical work to meet minimum requirements however JLR stated they developed their geotechnical program by relying upon their demonstrated understanding of the broader context of the Third Crossing project. JLR's program provides the most value to the City by offering the most balanced geotechnical approach to acquire sufficient information now to better inform future stakeholders and designers regardless of which delivery procurement model is selected in the future. JLR made it clear in their proposal that having more bedrock information now provides the greatest value to the City since less unknowns will be transferred to future phases of the project. This increases the confidence level of future stakeholders to rely on having more information to base future decisions upon. The other consultants indicated that they had proposed enough investigations for now but could increase their geotechnical program and price accordingly. This approach was not well received by the City review team since it demonstrated that the other consultants proposed that there would be more assumed borehole information compared to actual borehole information being deferred to future phases of the project.

Stakeholder Engagement

City staff participated in complex discussions with Provincial and Federal authorities, First Nations groups, user groups and residents during the Third Crossing EA assignment. City staff learned from those discussions that each stakeholder group required a substantial amount of information to satisfy their needs and that even more information would be needed in future

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phases of the project. Parks Canada was one such agency that made it clear that the design phase of the project would require more information since (i) Parks Canada is the landowner for which the bridge will be situated and (ii) the UNESCO designation of the Rideau Canal requires additional accommodations above the regulatory requirements typical in Parks Canada's Environmental Impact Analysis process. JLR was also part of these complex stakeholder discussions which further developed their relationship with, for example, Parks Canada as described in JLR's proposal. JLR stated that a 'meeting the intent' preliminary design submission would not be enough and one of their key goals was to ensure that their proposal provided a sufficient amount of detail to satisfy Parks Canada requirements.

JLR's approach to meeting with various stakeholders throughout the project was the most comprehensive of all proposals submitted by offering the most effective approach and frequency for stakeholder discussions. JLR is promoting open and transparent dialogue with stakeholders to develop healthy relations through consensus-building efforts on all matters of the work assignment such as UNESCO, Environmental Impact Analysis, Cultural and Heritage impacts, First Nations interests and public engagement opportunities. JLR clearly stated that satisfying Parks Canada and other key stakeholders is the only way this project will be able to go forward and as such, JLR's allocated resources are the most and best placed in both in their work plan and their schedule. The other consultants acknowledged the importance of meeting with key stakeholders however their work plan and schedule did not provide the expected level of resources to match their proposal's described approach. The City review team believes that the allocation of resources from the other consultants did not meet the expectations of the RFP objectives to provide sufficient attention to Parks Canada who owns the lands and administers the UNESCO designation for the Rideau Canal. The probability of insufficient resource allocation increases the risk to the project significantly, both in scope, budget, schedule extension, and stakeholder confidence, which is a reflection of misunderstanding the complexity of this project in the context of the RFP objectives in regards to stakeholder accommodation.

Deliverables

The RFP objectives require Proponents to submit deliverables in the form of interim and final preliminary drawings, reports, construction schedule and estimates, all within 15 months of contract award. Although all deliverables are important, the City review team considers the Preliminary Design Summary Report (PDSR) to be the most important document of the assignment. The PDSR is intended to act as a project summary which chronicles all pertinent interpretations, methodologies, analysis, decision making, recommendations, and future instructions/considerations that is all encompassing and required of the assignment. The PDSR's purpose is to ensure future designers and stakeholders are provided with a comprehensive summary that provides the decision-making rationale that occurred in the Preliminary Design phase and how the drawings, schedule, and cost estimates were developed. In addition, the PDSR provides the identification of approvals and their status with approval authorities and other stakeholders so that efficiency is maintained into future phases. The development of a comprehensive PDSR will improve the decision making during future phases of the Third Crossing project.

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The comprehensiveness of JLR's PDSR provides maximum value to the City. JLR committed a heavy amount of resources into their PDSR development which is evident in their work plan and the City review team believes their level of effort is commensurate with the expectations of this significant project. JLR's allocation of time for the PDSR work task is approximately 700 hours more than each of the other proposals and equates to about 8% of their total work plan time dedicated to the PDSR work task alone. The other consultant's level of effort allocation to the PDSR work task was lower than what the City review team expected and significantly lower than what JLR allocated. JLR also scheduled the circulations of the PDSR deliverables in a manner that allows both the City and Agencies ample time for review while leaving float time in the schedule in the event of delays. Not having a comprehensive PDSR increases several different aspects of risk to the project's future:

- the probability of future stakeholders misinterpreting preliminary design information due to insufficient elaborations and/or non-described assumptions;
- the City may have to request clarifications from the preliminary design consultant to obtain any missing information required for future stakeholders;
- the preliminary design consultant may seek payment since they met the intent of their proposal and providing additional information would be above their original scope and financial proposal;
- may introduce confidence issues from future stakeholders who will be basing critical project decisions upon the contents of the PDSR for the preparation of future RFP objectives, future project delivery model considerations; future land agreement discussions with Parks Canada, and accurate life cycle costing and associated information in order to produce project budgets for future phases of the project.

4. Summary

The RFP process provides staff with a mechanism to evaluate each proposal against pre-determined criteria in order to effectively determine which proposal provides the best overall value to the City for complex projects. The proposal submitted by JL Richards scored the highest of all proposals submitted and received the highest scores in Evaluation Criteria A, B, and C with no lower than 80% in each of these.

The analysis section provided a compare and contrast exercise between JL Richards and the other consultants on key aspects of the assignment. The analysis concludes that JL Richards has the best team, best work plan and schedule, best approach and methodology, best geotechnical program, and best end product (deliverables) compared to the other consultants. In addition, the analysis section indicated the shortfalls, deficiencies, and issues of the other consultants which then translated to an increase of risk to the project.

Although every project has an inherent level of risk associated with it, the City review team considers JL Richards proposal as introducing the least amount of risk to complete the RFP objectives whereas the other consultants proposals have elements that increase the risk of not

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meeting the overall objectives of the preliminary design assignment. This positions the other consultants to potentially negotiate for scope and budget increases and the potential for work schedule extension in order to meet the original RFP objectives. On the other hand, if JLR finds efficiencies in their work plan, field work, and/or agency discussions then the upset limit contract is structured to only pay for the work that was performed which reduces the overall cost of their financial proposal.

The JL Richard's financial proposal falls within the project budget that was derived based on an industry standard calculation for anticipated engineering fees as a percentage of overall construction costs, which was determined well before the RFP was issued. In this respect, the proposals provided by the other shortlisted consultants each proposed an allocation of resources expressed in both total person-hours as well as methodology that was approximately one-third (1/3) less inclusive than the proposal submitted by JL Richards. The City review team was unable to discern information in the other consultant's work plan, schedule, or methodology that proposed an approach to the project work assignment that would either yield efficiencies or alternate approaches sufficient to justify any reduction of effort or resources on this project.

The RFP process and the importance of retaining the most qualified proponent cannot be understated. A successful project is one which meets the requirements of the City at the lowest sustainable project life cycle cost. The long term operation and maintenance of the infrastructure will be over 80% of the asset's life time costs. The total cost of engineering will be up to 2% of the life cycle cost of the project which is a relatively small percentage in comparison. The selection of a less qualified consultant leads to false economy and can be a risk to the project whereas having the best qualified consultant is crucial since it is during the design process that construction, operation, and maintenance cost savings are most easily achieved. The time and energy spent on these project critical elements can result in:

- Overall cost savings;
- Construction efficiencies;
- Performance improvements;
- Sustainability;
- Risk reduction;
- Customer satisfaction.

JL Richards is providing sufficient resources across all aspects of the assignment which positioned them with maximum opportunity to explore the creative and innovative solutions that are needed to solve complex project challenges while optimizing the bridge performance, maintenance, and overall life cycle costs.

JLR's proposal succeeded in finding the right balance of providing good value for the taxpayers (cost) and providing a sufficient level of detail and resources to satisfy stakeholder requirements

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(work plan's level of effort). The JLR proposal also progresses the Third Crossing design far enough to provide sufficient information for City Council to make the best, informed decisions regarding future project phases including final design and selection of project delivery model, and to also assist the City in continuing to seek funding from both the Federal and Provincial governments.

Existing Policy/By Law:

Not applicable.

Notice Provisions:

Not applicable.

Accessibility Considerations:

Not applicable.

Financial Considerations:

Not applicable.

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Other City of Kingston Staff Consulted:

Alan McLeod, Senior Legal Counsel

Exhibits Attached:

Not applicable.