



**City of Kingston
Report to Council
Report Number 21-034**

To: Mayor and Members of Council
From: Sheila Kidd, Commissioner, Transportation & Public Works
Resource Staff: Luke Follwell, Director, Engineering Services
Date of Meeting: January 12, 2021
Subject: Award of Contract – Design Consulting Services for Breakwall Promenade at Flora MacDonald Confederation Basin

Council Strategic Plan Alignment:

Theme: 5. Foster healthy citizens and vibrant spaces

Goal: 5.1 Increase access to and continue to beautify the waterfront.

Executive Summary:

The purpose of this report is to seek Council approval to award the contract for the design services for the Breakwall Promenade at Flora MacDonald Confederation Basin. This project was identified in the 2016 Waterfront Master Plan and was approved for development through the capital budget process.

A Request for Proposal (RFP) for design services was issued in late February of 2020. The award was not executed due to the project being deferred by Council to 2021 as a result of adjustments made to work plans because of the pandemic. Following the RFP evaluation process, it is being recommended that the contract for design services now be awarded to the MBTW Group, the highest scoring proponent, based on the evaluation criteria as set out in the RFP.

Two proposals were submitted, in response to the City's RFP, for the Design Consulting Services for Breakwall Promenade at Flora MacDonald Confederation Basin. Section 3.4 iv) of the Purchasing By-law requires that approval be sought by separate report to Council when less than three valid responses from vendors have been received.

January 12, 2021

Page 2 of 7

Recommendation:

That the MBTW Group be awarded the contract for the project 'Design Consulting Services for Breakwall Promenade at Flora MacDonald Confederation Basin'; and

That the Mayor and Clerk be authorized to enter into an agreement with the MBTW Group for the project 'Design Consulting Services for Breakwall Promenade at Flora MacDonald Confederation Basin' in a form satisfactory to the Director of Legal Services.

January 12, 2021

Page 3 of 7

Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

**Sheila Kidd, Commissioner,
Transportation & Public Works**

ORIGINAL SIGNED BY CHIEF
ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Paige Agnew, Commissioner, Community Services	Not required
Peter Huigenbos, Commissioner, Business, Environment & Projects	Not required
Brad Joyce, Commissioner, Corporate Services	
Jim Keech, President & CEO, Utilities Kingston	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	

January 12, 2021

Page 4 of 7

Options/Discussion:

On Friday, March 13, 2020, two Request for Proposal (RFP) submissions were received for RFP F31-EN-2020-02 Design Consulting Services for Breakwall Promenade at Flora MacDonald Confederation Basin. The submissions were reviewed and evaluated at the time of closing; however the award of the contract was deferred until 2021 as part of Council Report Number 20-128.

Confederation Basin Breakwall is identified in the Waterfront Master Plan (WFMP) as project 5.13 and prioritized as number 5 out of 137. Key highlights of the project are below:

- New accessible walkway (450 metres) with lookouts, seating, lighting and swimming opportunities.
- Public art and City gateway celebration opportunities.
- Image of the concept included in the WFMP is below.



The procurement method used to retain professional services is called a consecutive negotiation RFP. The structure of this type of RFP allows the City, if desired, to negotiate with the highest scoring proponent with the intention on agreeing to terms and to finalize the contract agreement.

The submissions were reviewed by staff and scored on the criteria set out in the RFP and presented in the table below.

January 12, 2021

Page 5 of 7

Non-Price Evaluation Criteria	Weighting
Qualifications of the Proponent Team	25%
Methodology, Schedule and Demonstrated Understanding of the Project	20%
Experience on Similar Projects	12%
Accessibility	3%
Price Evaluation Criteria	Weighting
Financial Proposal	40%

The proposal submitted by the MBTW Group and their multidisciplinary project team demonstrated that their team has excellent qualifications. Their significant experience was well documented by the relevant projects of similar scope and scale that they had recently completed. Their methodology provided a thoughtful approach that considered the constructability of the project in terms of its technical parameters. They communicated confidence in working with legislative and regulatory agencies. Overall, the MBTW Group demonstrated a realistic understanding of the project requirements and their ability to achieve them. The price submitted in the MBTW Group’s proposal was \$333,645.00 which, based on the criteria laid out in the RFP, earned them a score of 29.7 out of 40 possible points in the financial proposal section of the evaluation.

The proposal received from Lashley + Associates Inc. presented a vision for public space that met the City’s expectations of the RFP. It was not however well demonstrated in their proposal that all the team members had the expertise and experience to execute the project effectively in that the sample projects provided in the submission were limited in their similarity from a technical and scope perspective to the promenade project. The price submitted in Lashley’s proposal was the lowest at \$248,143.75 which, based on the criteria laid out in the RFP, earned them a score of 40 out of 40 possible points in the financial proposal section of the evaluation.

The results of the scoring based on the criteria listed in the RFP are indicated in the following table:

January 12, 2021

Page 6 of 7

Evaluation Criteria	Weighting	MBTW Group	Lashley + Associates Inc.
Qualifications of the Proponent Team	25	22.7	17.7
Methodology, Schedule and Demonstrated Understanding of the Project	20	18.3	14.3
Experience on Similar Projects	12	11.0	6.7
Accessibility	3	2.2	2.0
Non-Price Criteria Sub-Total:	60	54.2	40.7
Financial Proposal	40	29.7	40.0
Total Score:	100	83.9	80.7
Final Ranking:		1	2

Subsequent to the evaluation of both original submissions, and upon determining that MBTW Group had the highest scoring proposal, staff contacted the proponent to initiate negotiation discussions as permitted and described within the RFP. Negotiation discussions resulted in a fee reduction. The project was not, however, awarded at that time due to its deferral to 2021 as a result of resource and work plan adjustments related to the pandemic. Staff contacted the proponent again in late 2020 and the team has agreed to undertake the project. The negotiated and agreed upon price is \$280,823.00 plus HST. Based on negotiations, the quality component of the proposal, including methodology and proposed services, is not reduced from the original submission and, as such, their score in this area of the evaluation would remain the same.

Existing Policy/By-law:

By-Law 2000-134, "A By-law to Establish Purchasing Policies and Procedures".

Notice Provisions:

Not applicable

January 12, 2021

Page 7 of 7

Accessibility Considerations:

Accessibility criteria were incorporated in the evaluation criteria of the RFP.

Financial Considerations:

The proposed award to the MBTW Group is \$280,823.00 plus HST. There are funds in the current Council approved Engineering Services capital budget for these services.

Contacts:

Luke Follwell, Director, Engineering Services 613-546-4291 extension 1815

Other City of Kingston Staff Consulted:

Neal Unsworth, Manager, Parks & Shoreline, Engineering Services

Jenna Morley, Associate Legal Counsel, Legal Services

Brent Funnell, Supervisor, Procurement Operations, Financial Services

Exhibits Attached:

Not applicable