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April 15, 2014

Mr. John Livey  
Deputy City Manager, City of Toronto  
11th Floor, East Tower, City Hall  
100 Queen Street West  
Toronto, Ontario M5H 2N2

**Re: Proposal by Porter Airlines for use of Bombardier CS100 jet aircraft at the Billy Bishop Toronto City Airport (the “Porter Proposal”)**

Dear John:

On April 1, 2014, Toronto City Council debated the Porter Proposal to introduce CS100 jet aircraft to Billy Bishop Airport. Council voted unanimously to further study the proposal and, upon completion, to report back in 2015 with findings and perhaps a staff recommendation regarding the overall feasibility of the concept.

Specifically, Council noted the need and desire to address several outstanding issues specific to the Porter Proposal, as well as the airport’s current and future activities. As we read it, Council required that the Toronto Port Authority (TPA) undertake some crucial planning exercises to provide further information and address questions concerning environmental and health effects, local airport traffic patterns, runway extension design and MEZ marker placement – all of which would be undertaken by the TPA and its independent consultants, advisors and engineers. Council also seeks additional flight test data for the Bombardier CS100 aircraft, as well as confirmation that the aircraft in question will meet the noise output specific to the existing terms in the Tripartite Agreement.

The City has previously requested the TPA confirm its willingness to initiate and engage in a comprehensive Master Plan for the airport, and in a Precinct Planning exercise as part of the important initiative to have the airport properly included in the city’s Official Plan. These important exercises would be done in concert with the City, and involve appropriate levels of public engagement.

On February 27, 2014, TPA wrote to you to confirm a series of key commitments that the TPA was prepared to undertake in response to our mutual goal of ensuring continued managed growth at the airport and overall benefit to all key stakeholders – the community, the City of Toronto, and our passengers. We also reiterated our key parameters under which we would continue our work and assessment of the Porter Proposal, summarized as a “Do No Harm” approach, to ensure that the airport remains a compatible activity in balance with the City’s vision for a successful mixed use waterfront.

In light of the discussion at Council, as well as the motions that were passed on April 1, 2014, it is the TPA's intent to undertake the following activities in direct response to the City's requests with respect to the Porter Proposal, as well as the current and future scale of the airport:

a) New Airport Master Plan

The November 21, 2013 and March 19, 2014 Staff Reports emphasized the need for an updated Airport Master Plan (using our existing 2012 Airport Master Plan as the baseline document) to be provided to the City for input and review. The new master plan would help provide a clear vision and scope for the airport and its future development as an asset benefitting Toronto. Our letter to you dated February 27, 2014 included a technical memorandum that described in some detail the scope of work specific to the project. The TPA recognizes Council's desire to receive an updated Master Plan for the BBTCA reflecting the proposed jet aircraft activity and corresponding runway extension before it can be in a position to consider the proposal. The Master Plan will be completed in accordance with industry best practices and in consultation with the City, as requested. The TPA will provide a draft of such an updated Master Plan to the City as soon as practicable, and will participate in a process of public information meetings in respect of such a plan. It is estimated that the preparation of a revised Airport Master Plan for BBTCA would take approximately three to four months to complete.

b) Precinct Planning and Official Plan Amendments

The November 21, 2013 and March 19, 2014 Staff Reports emphasized the need for amendments to the City's Official Plan to incorporate the Billy Bishop Toronto City Airport (BBTCA) into its future planning. As such, the TPA will also participate with the City in a local airport area city side precinct planning exercise and in such work as is related to amendments to the City's Official Plan.

The City Staff Reports of November 21, 2013 and March 19, 2014 and the city staff Issues List dated February 18, 2014 pointed to several requirements for further information to permit consideration of a change in airport use. These included an environmental assessment of the proposed runway extensions; a detailed design for the proposed runway with taxiway considerations; a method of construction for the proposed facilities; and a confirmation that the design and operating procedures of the airport will not "materially"<sup>1</sup> alter the Marine Exclusion Zone (MEZ), and will fall within the existing strict NEF25 Noise Exposure Forecast (NEF) 25 Contour.

As such, the TPA is required to undertake the following work:

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<sup>1</sup> As required under the motion passed by Council at its meeting of May 7, 8, 9 and 10, 2013

c) Environmental Assessment

Our letter to you dated February 27, 2014 laid out the background, legislative requirements, process, consultation and reporting scope of work for an Environmental Assessment (EA) to be undertaken for the Porter Proposal. Environmental protection and sustainability are important to the TPA. We have committed to undertake a robust EA process, with appropriate levels of public engagement, and which would include consideration and assessment of potential effects and appropriate mitigation. TPA expects that the EA process would begin immediately with the release of an RFP for the engagement of experts, and would include an invitation to the City to participate in the review and selection of the project consultant. Selection criteria for the consultant would focus expressly on experience specific to airport runway work, marine environment work, and the project would incorporate industry best practices. The process would be expected to be conducted and completed over a period of 9-12 months.

d) Runway Design (Preliminary)

Issues raised during the Council debate called for additional information specific to the proposed runway design as part of the Porter Proposal, specifically with respect to confirmation that the CS100 is in compliance with the Tripartite Agreement, confirmation of runway expansion configuration and compliance with applicable regulations, runway extension impact on the existing NEF 25 contour in the Tripartite Agreement, and confirmation that the Marine Exclusion Zone as proposed conforms to Transport Canada standards, and that there would be no material encroachment upon the western channel shipping channel. The TPA will undertake a preliminary design for submission in application to Transport Canada for review and comment. The preliminary design submission will be specific to the 200 metre extension as proposed by Porter and include as a subset an appropriate RESA component.

The costs to undertake the above studies (a) through (d) will be borne by the TPA except where the City elects to participate for their own account as indicated. TPA believes we have enjoyed a mutually cooperative effort and productive result in the work leading to up to staff's March 19, 2014 report, and we continue to welcome the City's engagement in these important planning processes to be undertaken.

With respect to a proposed managed growth framework that includes caps on passengers and slots, we outlined a proposal in our letter of February 27, 2014 to implement voluntary interim caps on peak local slot passenger traffic (as this has the greatest single impact on local vehicle traffic flows), and on annual local passenger counts, until such time as the Master Plan could be completed and /or such caps are no longer necessary to address the projected passenger volumes at BBTCA city-side access points. TPA indicated that such interim caps would need to be mutually agreed to by the City and TPA. Further, these restrictions would be in addition to those currently contained in the Tripartite Agreement, which for example prohibit aircraft generating excessive noise and already require the TPA to contain the overall frequency of annual aircraft movements within the official NEF 25 Contour. Such specific restrictions will continue in any case.

The TPA believe that the work accomplished in the above four planning initiatives is required to better inform all parties with respect to what levels of caps might be appropriate for consideration, and will work in good faith on that basis. The TPA believes it would be premature to agree to any particular cap in the absence of having, at hand, the output of the Environmental Assessment and the new Airport Master Plan. Then, and only then, would our two groups be in a position to understand if the caps you proposed on March 19, 2014 are both viable or effective.

In addition to the above, TPA will continue with its other commitments as stated in our letter of February 27, 2014, namely:

- Engine Maintenance and Run Up Noise Housing: To be implemented by the end of 2016 to mitigate the impact of engine test noise on surrounding communities;
- Noise Monitoring System Improvements: Introduction of new tracking and location software, implemented and accessible to the public by summer 2014;
- Waterfront Schools and Community Center: TPA will continue to co-operate with and support the local community, including the Waterfront and City schools, the Harbourfront Community Centre, and the Toronto District School Board, in addressing any adverse impacts on the community attributable to the BBTCA, including traffic, noise and safety concerns. We have received several entreaties from TDSB regarding, we suspect, their desire to vacate their site at Bathurst and Queen's Quay West. As the TDSB's long term ground lease is with the City of Toronto, and not the TPA, we believe that it is incumbent on the City to engage with the TDSB, and not us, on that narrow matter. The TDSB and our team are in regular contact on a variety of collaborations regarding safety, parking and special drop off access, and so forth. We will continue to assist on those fronts, among others, wherever we can.

We look forward to continuing our work with the City on the above projects, and to engaging with and to further providing important information to the public in the process.

I have enclosed drafts of the two key RFPs. It is our intention to issue them on MERX in 7 days' time, and we very much welcome your input on their contents in the interim.

Yours truly,

**TORONTO PORT AUTHORITY**



Geoffrey A. Wilson  
President and Chief Executive Officer

cc: The Hon. Lisa Raitt, P.C., M.P.  
Minister of Transport

Mr. Mark McQueen, Chair, Toronto Port Authority



**Toronto Port Authority  
Request for Proposal  
No. 2014-220-01**

**Environmental Assessment  
Proposed Extension of Runway 08-26  
Billy Bishop Toronto City Airport**

**April 15, 2014**

**Overview:**

The Toronto Port Authority (“TPA”), established in June 1999 under the Canada Marine Act, is the successor to the Toronto Harbour Commissioners, an organization that operated the Port of Toronto, the Billy Bishop Toronto City Airport (“BBTCA”), and owned facilities and lands on the waterfront operating under the Toronto Harbour Commissioners Act of 1911.

The TPA believes in a “Do No Harm” approach regarding airport operations on Toronto’s waterfront, ensuring that the airport continues to co-exist effectively with others and does not overwhelm the mixed-use nature of the area. Environmental protection and sustainability are important in the TPA’s operation of the BBTCA.

The TPA proposes to engage the professional services of a qualified consultant or consortium to assist the TPA in its examination of the current operations at Billy Bishop Toronto City Airport and the proposed extension of Runway 08-26 to allow commercial jet aircraft activity, in order to assess potential impacts of the proposed project on the

environment (including physical impacts, as well as socio-economic matters), taking into account all applicable federal, provincial and local, laws and regulations.

The proposed Environmental Assessment ("EA") study will allow the TPA, and other decision-makers, to be properly informed about the potential effects on the environment of the proposed project. Prior to making a decision about whether to advance the project (i.e. the construction of any runway modification) further, the TPA will properly consider the findings and comments received, including consideration and assessment of potential effects of the project, appropriate mitigation and monitoring.

### **Scope of Assignment**

For the purpose of the proposed project and assessment, the environment includes the natural environment, the built environment, human health and socio-economic matters (including, for example, transportation, land use, businesses, cultural and heritage matters).

The EA will identify the existing or baseline environmental conditions, and then identify and assess potentially significant effects on the environment for relevant aspects of the proposed project. The EA will also identify and assess appropriate mitigation measures, which may include revisions to the design of the project, to address potentially significant environmental effects.

Taking into account the federal nature of the TPA's activities, the purposes of the EA include:

- to protect the components of the environment that are within federal jurisdiction from significant adverse environmental effects that would likely be caused by the proposed project, including the effects of accidents and malfunctions;
- to promote and engage in consultation about the proposed project and to ensure that appropriate opportunities are provided for meaningful public participation during the environmental assessment;
- to consider actions that promote sustainable development in order to achieve or maintain a healthy environment and a healthy economy; and,
- to consider the cumulative effects of physical activities associated with the proposed project.

Under the Canadian Environmental Assessment Act (2012) (the "Act"), a proposal to extend the length of the existing runway by approximately 400 metres to accommodate jet aircraft is not a "designated project". As such, the Act does not require a federal authority (including a Port Authority) to undertake an environmental assessment, including an EA under the Act, prior to exercising a power, such as making a decision to proceed with such a project.

However, the Toronto Port Authority, as a prudent land owner, federal business enterprise and authority and steward of the waterfront, is committed to ensuring that an

appropriate EA is completed that is consistent with the Act and practices that are common to airports and marine environments throughout Canada. The EA will take into account the terms of the Tripartite Agreement between the TPA, the City of Toronto and the Federal government. The EA will also take into consideration other studies that have been conducted in the area, including previous environmental assessments that have been conducted in and around the location of the proposed project and additional studies as part of the City / BBTCA review.

As part of this EA, the TPA is committed to ensuring that a meaningful public consultation program is part of the process.

Determination of the level of detail required for the EA will be part of the initial phase of the EA. In that regard, the public consultative program will include opportunities to identify, and possibly reduce, the number of matters to be considered and assessed, so that the appropriate matters that will be subject to detailed assessment. This will help to ensure that the EA will not unnecessarily focus on inconsequential matters or effects.

Consultation will be an important feature of the EA, which is described more fully below.

It is expected that the EA process will be a systematic, objective assessment of potential impacts that would likely arise if the proposed project were to proceed. It would commence with baseline studies on the condition of the environment, including socio-economic conditions, existing prior to implementation of the proposed project.

Baseline components would be identified and assessed for potentially significant impacts based on applicable, relevant factors determined from project details provided by the TPA from its concurrent development of an Airport Master Plan and preliminary design of runway extension features regarding the proposed airside construction, projected increase of commercial passenger and modifications that would comprise the project.

The environmental effects that will be taken into account in relation to the proposed project are to be consistent with the Act and practices that are common to airports and in marine environments throughout Canada:

- 1) Any changes that may be caused to the following components of the environment that are within federal jurisdiction:
  - a) fish and fish habitat, as defined in the *Fisheries Act*;
  - b) aquatic species, as defined in the *Species at Risk Act*;
  - c) migratory birds, as defined in the Migratory Birds Convention Act; and,
  - d) other components previously considered in prior EAs such as air quality; noise and vibration; visual; navigation; transportation; traffic; parking; wildlife species and habitat; species at risk; soils and sediments; surface and groundwater; vegetation and wetlands.

- 2) With respect to Aboriginal peoples, an effect occurring in Canada of any change that may be caused to the environment on:
  - a) health and socio-economic conditions;
  - b) physical and cultural heritage;
  - c) the current use of lands and resources for traditional purposes; and,
  - d) any structure, site or thing that is of historical, archaeological, paleontological or architectural significance.

The EA will consist of:

- 1) Preparation of a statement describing the EA process, including the scope of the assessment, methodology and criteria to be used, approvals that would be required, the consultation process, commitments, reporting of results and the decision making process;
- 2) Preparation of a description of the proposed project, including:
  - a) the location of the proposed project;
  - b) the area that will be considered and assessed (also referred to as the study area, which is the environment that would potentially be affected by the project), including for the baseline condition and the likely effects;
  - c) a description of the physical works and activities (i.e., the components) of the proposed project;
  - d) a description of the activities to be performed in relation to the proposed project;
  - e) scheduling; and,
  - f) regulatory requirements, such as permits, licenses or other approvals, that would be required.
- 3) Assessment of the effects likely to arise from carrying out of the proposed project (i.e., the likely effects on baseline conditions), including the significance of the effects, the assessment of mitigation measures that are technically and economically feasible, and the assessment of residual, or net, effects (i.e., effects in light of mitigation measures);
- 4) Assessment of effects of other existing or known planned developments in the applicable study area (i.e., to assess cumulative effects);
- 5) Consideration of comments and experience of stakeholders gathered through participation in public forums;
- 6) Consideration of subject matter experts and previous studies and reports.



## **Consultation and Public Participation**

The TPA is committed to consultation involving two-way communication between the TPA and government agencies, Aboriginal peoples, members of the local community, and other members of the public and interested stakeholders who have an interest in the proposed project (collectively referred to as interested parties). One purpose of consultation is to raise awareness and understanding about the proposed project and the EA, and to receive comments for consideration in order to make better, more informed decisions about the proposed project. The successful proponent will assist the TPA to ensure that interested parties are provided with opportunities to participate in the environmental assessment of the proposed project.

There will be opportunities for consultation, including public participation, throughout the environmental assessment process. The focus of consultation is to share information with, and gather input from, interested parties. Conducting such consultation as part of the EA process will enable those who must make decisions to be properly informed.

The TPA understands the value of consultation, including public participation, and its importance for the EA and the proposed project, including to:

- obtain valuable information about the environment and potential impacts;
- enhance understanding of the various interests, concerns and priorities of interested parties;
- avoid or minimize adverse environmental effects;
- address concerns as early as feasible in the process, thereby reducing likelihood for conflicts;
- correct misinformation or dispel rumours;
- align the project design as much as feasible with priorities and expectations of interested parties; and
- increase the effectiveness and credibility of decisions and decision makers related to the project by allowing for better informed decisions to be made.

Meaningful consultation, including public participation, includes and reflects the principles of accessibility, impartiality, transparency, consistency, efficiency, accountability, fairness and timeliness, and recognizes that all parties have responsibilities in meeting these principles. To be meaningful, consultation needs appropriate public notice and public access to information relating to the proposed project.

In that regard, the successful proponent will assist the TPA to provide appropriate public notice to provide information and raise awareness of the project and the EA process. As part of the assignment a program plan will be developed and implemented to notify interested parties about the proposed project and the EA, including scheduling (e.g., commencement date of the EA), status, scope, location of information, such as documents, that can be reviewed, and details about opportunities for participation.

The program plan will follow eight key elements of meaningful consultation, including public participation.

- early notification;
- accessible information;
- shared knowledge;
- sensitivity to community values;
- reasonable timing;
- appropriate levels of participation;
- adaptive processes; and
- transparent results.

A program for providing information relating to the EA and the proposed project will be developed and implemented in a manner in which to enable interested parties to increase their understanding and be informed about the proposed project and the EA process. The successful proponent will work closely with TPA's communications department.

The successful proponent will develop, coordinate and participate in the public consultation process. TPA anticipates this process will include presentations, requests for written comments, webinars, questionnaires, surveys, information panels and other methods to provide information and facilitate the receipt of comments about the proposed project.

Consultation may also include focus groups, public meetings, community facilitators, tours or interviews, followed by questionnaires that solicit feedback, or a public comment period and request for written submissions on an environmental assessment report.

### **Reporting**

The successful proponent will provide a draft report that will include the results of the EA, for consideration and comments by interested parties.

Following due consideration of all comments received, the successful proponent will produce a final report that can be published and used by the TPA, and others, to make decisions regarding the proposed project.

Twelve (12) hard copies of the final report will be required, including one electronic copy.

### **Information Session For Proponents**

To further describe the assignment, an information presentation is planned to be held at the Toronto Port Authority's offices located at 60 Harbour Street at the date and time indicated in the Schedule. The presentation may be followed by a brief inspection of the airport facility to better orient consultants with the Billy Bishop Toronto City Airport operation.

### **Consultant Qualifications**

To carry out the work described above, the TPA believes that the successful consultant needs to have the following knowledge, skills and experience:

- Excellent familiarity with federal, provincial and local legislation.
- Experience and expertise in conducting environmental assessments;
- Experience and expertise in public consultation including collaborative planning and meaningful engagement with stakeholders.
- Adequate staffing resources to complete the assignment within the anticipated timeline;
- Experience with airport operations and facilities, and in marine environments including regulatory requirements is preferred.

### **Schedule**

The TPA expects that the EA process for the proposed project would be conducted and completed over the course of 9-12 months.

Please note the following key dates:

Release of Request for Proposal	2014-04-22	
Presentation/Site Visit	2014-05-01	10:00 am ET
Deadline for Submission of Questions	2014-05-09	
Distribution of Answers	2014-05-13	
Submission of RFP ("Closing Date and Time")	2014-05-21	3:00 pm ET
Short List Announcement	2014-05-23	
Presentation and Interviews	2014-05-29	
Selection of Successful Proponent	2014-06-06	

### **Submission Requirements**

Proposals are required to address the following selection criteria:

- 1) Statement of qualification for the principal proponent and each member of a proposed consortium;
- 2) Details of direct experience with environmental assessments and/or related professional services. Minimum of three client references, noting a senior contact person and telephone number shall be submitted;
- 3) Identification of the key individuals who would be assigned to the assessment project. Include professional credentials, capabilities, experience and billing rates. Provide company policy and practices in the event that the assigned individual becomes unavailable to serve for the entire assignment;
- 4) Proposed assessment plan clearly outlining process, schedule and resources;
- 5) In depth description of the proposed public consultative program including timelines;
- 6) Identification of deliverables, including the type of recommendations to be provided.
- 7) Identification of TPA responsibilities including turnaround times for document review to achieve the proposed assessment timelines;
- 8) A firm quotation to complete the study. Provide a proposed milestone payment schedule;
- 9) Proponents shall indicate in their submission the time period for which their proposal is firm. Proposals shall be firm for a period of at least sixty (60) days from the Closing Date;
- 10) Proposals must be no larger than 25 pages. Additional material including related curriculum vitae may be attached separately;
- 11) Formal proposals, clearly marked "RFP No. 2014-220-01 Environmental Assessment" are required to be submitted no later than May 21, 2014, at 3:00 pm (the "Closing Date and Time").

Four copies of the proposal are required, Three Bound, and One in a digital format (Either a CD, DVD or a USB Key).

The Proponent's name must be shown on the package, together with the RFP number.



Proposals are to be submitted in sealed envelopes to:

Toronto Port Authority  
60 Harbour Street, Second Floor  
Toronto, Ontario, M5J 1B7  
Attention: Mr. K. A. Lundy, P.Eng.

It is the Proponent's sole responsibility to ensure that its proposal is received before the Closing Date and Time. Late submissions will be returned unopened.

Please note that deliveries will not be accepted before 9 a.m.

### **Evaluation Methodology**

Proposals will be assessed and graded by an Evaluation Team which will include representatives from the TPA and the City of Toronto. Recommendation from the Evaluation Team will be made to the TPA's Board of Directors for decision.

Selection criteria for the consultant will focus on experience and resource capabilities involving environmental assessments specific to airport runway work, transportation infrastructure, marine environment work and public consultative methods.

Consideration will also be given to the proponent's resources and capabilities to undertake the assignment and value of money.

### **Clarification or Inquires**

All requests for clarification concerning this Request for Proposal should be made by email to the attention of Mr. Jeff Joss, Project Coordinator  
jjoss@torontoport.com

Clearly indicate in the subject line the RFP number.

If required, addenda documents will be issued by mail, fax or other means to the designated individual of each proponent. The addenda will be deemed to be part of the Request for Proposal document and must be noted so in the proposal submission.

No contact is permitted with any TPA Board member, officer or employee except the contact person identified above.

### **Additional Terms and Conditions**

- The Toronto Port Authority may amend the requirements and specifications set out in this Request for Proposal at its discretion.
- The Toronto Port Authority may cancel or withdraw this Request for Proposal at its discretion. The Toronto Port Authority is not bound to accept the lowest or any offer for these services and may reject any or all proposals. The Toronto Port Authority reserves the right not to award a contract to the highest evaluated proposal or to any proposal. This Request for Proposal is not an irrevocable offer to purchase goods or services.
- All documents submitted by the proponent will be recognized as proprietary and will be held in confidence by the Toronto Port Authority and not be released without the prior authorization of the proponent, unless required by law.
- The Toronto Port Authority will not be liable for any costs of preparation or presentation of proposals, including presentations that may be requested by the Toronto Port Authority.
- Proposals submitted shall be final and may not be altered by subsequent offerings, discussions, or commitments unless the proponent is requested to do so by the Toronto Port Authority.
- In the event that a proponent is asked by the Toronto Port Authority to provide additional information that is beyond a request for clarification, the Toronto Port Authority will assess the relevance of the request to other submissions. The Toronto Port Authority will exercise discretion in determining whether or not to notify any, or all, proponents of the request and to provide an opportunity for other proponents to provide similar information.
- The Toronto Port Authority will require the consultant selected to provide services to be free of any conflict of interest and will expect the consultant to advise the Toronto Port Authority of any actual or potential conflicts of interest.
- The Toronto Port Authority shall be the sole owner of all materials, including reports, documentation and information (including copyright). The successful proponent warrants that the Toronto Port Authority shall have free and clear title to all materials produced and delivered to the Toronto Port Authority.

- end -

**Toronto  
Port  
Authority**

**Administration  
Portuaire  
de Toronto**

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**Toronto Port Authority  
Request for Proposal  
No. 2014-220-02**

**Provision of Professional Engineering Services**

**For the Purposes of Developing a Design for the  
Proposed Extension of Runway 08-26  
Billy Bishop Toronto City Airport**

**On an As and When Requested Basis**

**April 15, 2014**

**Overview:**

The Toronto Port Authority (“TPA”), established in June 1999 under the Canada Marine Act, is the successor to the Toronto Harbour Commissioners, an organization that operated the Port of Toronto, the Billy Bishop Toronto City Airport (“BBTCA”), and owned facilities and lands on the waterfront operating under the Toronto Harbour Commissioners Act of 1911.

Environmental protection and sustainability are important in the TPA’s operation of the BBTCA. The TPA believes in a “Do No Harm” approach regarding airport operations on

Toronto's waterfront, ensuring that the airport continues to co-exist effectively and is in balance with the City's vision for a successful mixed-use waterfront.

Porter Airlines has recently proposed the introduction of CS100 aircraft, requiring the lifting of the current prohibition on jet aircraft and runway extensions as stipulated in the operating agreement which the TPA is a party along with City of Toronto and Transport Canada (Tripartite Agreement). At its meeting of April 1, 2014, Toronto City Council indicated its further interest in understanding details of the proposed runway extension design and material considerations including missed approach paths and Marine Exclusion Zone marker buoy placement.

The purpose of this Request for Proposals ("RFP") is to select up to a maximum of three (3) multi-disciplined Consulting Engineering firms to provide engineering design and planning related Services including Civil, Aviation, Airside, and Marine on an ***as and when required*** basis. This RFP represents an estimated value of \$2,500,000 for professional services, subject to further adjustments by the TPA.

The duration of any agreement resulting from this RFP shall be for an initial term of three (3) years plus two (2) optional terms, each with a duration of one (1) year, each elected by mutual consent.

Upon finalization of this RFP, the selected firms will be awarded assignments based on one, or the combination of the following criteria:

1. Rotational basis
2. Based on specialized abilities of the firm
3. Through a Request for Quotation exercise which may not necessarily be limited to the selected firms only.

It should be noted that any resulting Service Agreement entered into by the TPA as a result of this RFP does not oblige the TPA to authorize or order any services whatsoever or to spend the estimated expenditure or any monies whatsoever.

Further, the TPA is not obliged to limit itself to contracting exclusively with any Consultant for any services covered under the proposed Service Agreement and may at its own discretion call on any other firm to provide the services described therein.

### **Services To Be Provided**

#### **Background:**

All engineering services considered in the RFP will be provided to the TPA in support of, but not limited to, activities related to the proposed runway extension and introduction of commercial jet aircraft operation ("the Project") at Billy Bishop Toronto City Airport.

The proposed Project requires analysis and definition of the required runway expansion configuration for jet aircraft. In relation to the proposed runway extension, confirmation



will be required of compliance with applicable regulations. The development of a preliminary design will include, as a subset, an appropriate Runway End Safety Area (“RESA”) component.

The preliminary design will require analysis and definition of shoreline protection and other marine engineering amenities to address identified changes to currents, littoral drifts and other affects due to runway extension.

Confirmation will be sought that the proposed runway extension and forecasted jet aircraft activity will be within the existing NEF 25 contour as stipulated in the operating agreement which the TPA is a party along with City of Toronto and Transport Canada (Tripartite Agreement). Confirmation to be based on studies previously conducted and additional studies recommended.

Analysis and assessment will be required for potential impact from the proposed operation and runway changes on the obstacle limitation surfaces at each end of the runway and in particular the Marine Exclusion Zone. Confirmation will be sought that the proposed project conforms to Transport Canada standards, and that there would be no material encroachment of the Marine Exclusion Zone on the Western Gap in Toronto Harbour.

Based on the preliminary design for the proposed runway and ancillary features, alternative methods of construction will be developed and assessed. Coordination will be required with TPA’s consultant undertaking an environmental assessment of impacts from construction methodology.

The preliminary design for the proposed runway and ancillary features together with feasible plans of construction and operation are required for submission to Transport Canada for its review and comments.

Consultative services are concurrently being procured under separate RFP to conduct an Environmental Assessment (“EA”) of the proposed project which will allow the TPA, and other decision-makers, to be properly informed about the potential effects on the environment of the proposed project. The RFP for Environmental Assessment is attached in the appendix for information purposes.

To assist the EA study, preliminary designs are required to properly identify the physical configuration and proposed construction methodology to extend the existing runway. Successful proponents responding to this RFP must be able to support the environmental assessments being undertaken as required. Stakeholder consultation will be an important required activity.

#### Scope of Work:

The services required are to be rendered on an *as and when required* basis, the TPA reserving all rights to make use of any other company for similar work.

- 1) While no specific assignment is yet determined, the Consultant's principal objective is to fulfill the TPA's requirements by applying to the Work the highest quality of design inventiveness, together with the selection and use of appropriate sustainable systems and materials, all within a climate of safety, security, cost effectiveness and schedule requirements.
- 2) The Consultant shall be responsible for incorporating the best environmental practices into this project, and shall comply with the TPA Environmental Policy incorporated into the Contract.
- 3) The Consultant shall render its services to the TPA under this Agreement with the degree of care, skill and diligence normally provided in the performance of such service in respect to projects of a similar nature to that contemplated by this Agreement.
- 4) The services that the Consultant shall perform if requested by the TPA under the Agreement may be situated on airside and groundside at BBTCA. The Consultant shall perform all such services in accordance with the Agreement, project specifications and the most current editions of all Applicable Laws, codes, standards, guidelines, and Airport Policies. The Consultant shall be responsible for identifying and complying with all such Applicable Laws, codes, standards, and guidelines.
- 5) Engineering work is expected to be fundamentally of a civil, aviation, airside and marine nature, although other disciplines such as electrical may be involved in some cases. When required, such other disciplines shall be undertaken or otherwise arranged for as required.
- 6) Where applicable on Work related to alterations or additions to an existing facility, the Consultant shall investigate and carry out detailed site inspections or condition surveys of existing conditions including equipment and services to ascertain the feasibility of the project. These investigations shall include the detailed measurement of existing conditions to verify the Consultant's design.
- 7) The Consultant shall ensure that its design is practical and can be accomplished safely. If a project is phased, the Consultant shall ensure that each phase can be implemented with full safety and security measures in place.
- 8) At the Preliminary Design stage, the Consultant shall liaise with the TPA's Representative to ensure that the delivery of staff, equipment, materials and removals can be accomplished in the most practical manner given the limitations of the location of the project, available access means and Airport operations. This liaison will include other airport applicable parties.

- 9) The Consultant shall provide a schedule and/or Gantt chart for every individual assignment. Work shall be completed according to the projected schedule. Some assignments may be required on a time sensitive basis. The Consultant shall be responsible for the development of the detailed program of activities with schedules and updates, taking into consideration the specific project restrictions.
- 10) The Consultant shall ensure that quality of materials and construction methods shall be commensurate with the type of project, its lifespan and the project budget. The Consultant shall avoid experimental materials or methods and pay heed to environmental concerns and energy consumption, and shall be responsible for incorporating the best environmental practices into the design of the project. The Consultant shall provide design solutions that in all instances incorporate TPA standards for materials and their assembly and, with proof of ease of maintenance, as well as access to and clearance for mechanical and electrical systems and any other standards as may be designated in writing or reviewed for approval by the TPA, or set forth herein.
- 11) The Consultant shall optimize the effect of the Work to ensure safety and avoid jeopardizing Airport operations, including mitigating negative impacts to traffic flow due to any required closures.
- 12) Some of the Work that may be required under this Agreement will be performed by the Consultant on the airside of the Airport, which is a secure or Restricted Area. All Work performed under this Contract shall conform to TPA Airport Security and AVOP Regulations and Security Access Conditions.
- 13) The TPA shall control and be accountable for the expenditure of the TPA funds, and shall manage the delivery of the scope and schedule of the Work.
  - a) It shall direct the Consultant based on information, recommendations and alternatives provided by the Consultant.
  - b) The Consultant shall make all technical recommendations (supported by logical reasoning and sound professional judgment) based on the project goals indicated in this Contract or as otherwise identified by the TPA from time to time and other requirements which may evolve over the course of the project.
  - c) The Consultant shall present all contentious issues having conflicting solutions to the TPA, who shall decide in which direction the project should turn based upon recommendations provided by the Consultant.
- 14) Services may include any or a combination of the following tasks:
  - a) Advisory and Consulting Services;
  - b) Conceptual Design Services and Studies, surveys and investigations consisting of detailed condition surveys, traffic studies, hydraulic analyses and modelling, and any other subject matter of this nature related to Civil, Aviation, Airside, and Marine engineering as may be requested in an individual assignment. These may

- be requested either as standalone Work or as Work elements of a preliminary or final design requirement;
- c) Preliminary Design Services to translate the project scope requirements into cost effective solutions relative to use and to explore design options and analyze same with relevance to the priorities of the project objectives. The preliminary design documents shall establish the required budget for the construction work, and shall be the primary documents supporting the TPA's project approval process. The TPA shall provide to the Consultant copies in digital format of existing record documents including site and as-built record drawings, reports, maintenance records and other available relevant data and correspondence. This shall include existing above ground features and buried utilities;
  - d) Final Design Services;
  - e) Regulatory and Stakeholder Consultations
    - i) Transport Canada regulatory consultation
    - ii) NAV CANADA operational consultation
    - iii) Department of Fisheries and Oceans
    - iv) Public Stakeholder consultation
  - f) Other Services including:
    - i) Construction cost estimates, pre-construction project operating costs budgets or whole-life cost estimates;
    - ii) Providing special analysis of the TPA's needs, such as operational analysis and preparing operating maintenance manuals, operating drawings or charts;
    - iii) Providing advice and instruction to the TPA beyond the scope of advice and instructions referred to in the Services;
    - iv) Providing or rendering models for the TPA's use.
- 15) TPA may request that Consultants support the TPA in the certification of the approved work program. These services may including, but are not limited to:
- i) Aeronautical Assessment
  - ii) Exemption Request; and,
  - iii) Risk Assessment

### **Information Session**

To further describe the assignment, an information presentation is planned be held at the Toronto Port Authority's offices located at 60 Harbour Street at the date and time indicated in the Schedule. The presentation may be followed by a brief inspection of the airport facility to better orient consultants with the Toronto Port Authority's airport operation.



### **Consultant Qualifications**

To carry out the work described above, the TPA believes that the successful proponent(s) need to have the following knowledge, skills and experience:

1. The Consultant's project team will be a multidisciplinary team able to meet the requirements of each Release for this Contract. This team will be able to fulfill the Consultant's obligations under the Contract, while developing innovative designs which can be practically and efficiently constructed. The Consultant will use its skills to facilitate viable projects using input from several different client departments, which may often have divergent objectives and requirements.
2. Whereas this RFP is based upon the Consultant having the primary qualifications and experience required for the Work, it is recognized that it may not possess within its in-house resources all of the requirements or proposed disciplines and specialties. Subject to the approval of the TPA, this RFP and subsequent contracting process permits the Consultant to bring such specialists onto its team through sub-contracts and third party contracts, provided the Consultant complies with the contractual obligations concerning the retention of sub-consultants, and clearly identifies all key personnel who are not full time employees, and remains fully liable for the work of all sub-consultants. The Consultant shall not commit the TPA to any additional costs without prior written approval of the TPA.
3. The Consultant will ensure that its staff possesses a complete and competent knowledge of Applicable Codes, Standards, Project Management and Engineering for civil, aviation, airside and marine Work, with access to other disciplines such as electrical.
4. The Consultant shall have access to geotechnical and materials engineering, survey services, cost estimating, value engineering and other disciplines as required (Identify).
5. At least one engineer in each discipline of civil, aviation, airside, marine, electrical and geotechnical will be a qualified registered Professional Engineer licensed in the Province of Ontario by Professional Engineers Ontario (licensed PEO member). Each of the noted qualified professionals shall have a minimum of eight (8) years experience in their area of expertise. The Consultant shall have proven expertise in the related field, and shall be familiar with and capable of providing on-site inspection capabilities and project management.
6. Due to potentially stringent schedule requirements and operational restrictions, the Consultant will develop its project team such that it is adaptive and flexible to change, creative, proactive, possess good problem solving skills and on-site inspection capabilities, and have excellent interpersonal and communication skills.

7. The Consultant will have geotechnical engineering and materials staff or shall enter into an agreement with a professional geotechnical consultant. The geotechnical staff shall have experience with geotechnical and materials investigations and evaluations for heavy civil and municipal projects of similar nature and size as identified in this RFP. The geotechnical staff shall be headed by a licensed PEO member. The Geotechnical and Materials Engineer shall be familiar with the soil conditions prevalent in the Southern Ontario Region, materials investigations and evaluations for civil and municipal infrastructure such as pavements, and underground facilities, and shall have good knowledge of construction practice in Ontario.
8. The Consultant will have surveyors on staff or shall enter into an agreement with a professional surveying firm. The Consultant's surveying staff shall be headed by a registered Ontario Land Surveyor. The staff party chief shall use "Total Station", and shall provide accurate surveys using up-to-date surveying techniques. The surveying staff shall also have the ability to download data for use in CAD design software compatible with the TPA.
9. The Consultant acknowledges that effective cost estimating and cost control is of prime importance. The Consultant shall engage as part of the team a specialist cost estimator to undertake the cost estimating and cost control to within the degree of accuracy required for a particular assignment.
10. The estimator will be responsible for the cost estimation of the Work and be familiar with the value engineering process. Under the direction of the Consultant's Project Manager, the estimator shall coordinate with all disciplines involved to establish project aspects and the respective cost estimate.
11. The Consultant shall provide submissions which clearly and completely describe the preliminary design of the project and consist of the draft technical brief and preliminary design drawings.
12. The successful proponent will develop, coordinate and participate in the public consultation process. TPA anticipates this process will include presentations, requests for written comments, webinars, questionnaires, surveys, information panels and other methods to provide information and facilitate the receipt of comments about the proposed project.
13. Consultation may also include focus groups, public meetings, community facilitators, tours or interviews, followed by questionnaires that solicit feedback, or a public comment period and request for written submissions on an environmental assessment report.

14. The successful proponents will have:
- a. excellent familiarity with federal, provincial and local legislation;
  - b. Experience and expertise in public consultation including meaningful engagement with stakeholders;
  - c. Adequate staffing resources to complete assignments within the anticipated timeline.

### **RFP Schedule**

Please note the following key dates:

Release of Request for Proposal	2014-04-22	
Presentation/Site Visit	2014-05-02	10:00 am ET
Deadline for Submission of Questions	2014-05-12	
Distribution of Answers	2014-05-15	
Submission of RFP (Closing Date and Time)	2014-05-22	3:00 pm ET
Short List Announcement	2014-05-27	
Presentation and Interviews	2014-06-03	
Selection of Successful Proponents	2014-06-06	

### **Submission Requirements**

Proponents are requested to submit a written proposal that presents in detail their capability to deliver the required services. The submission should be clear with respect to experience of the firm, areas of specialization or particular focus of the firm and key personnel involved.

Hourly rates for Key Personnel shall be used as the basis for rating financial merit of the submission and will be the fee structure of any resulting Agreement. Rates are deemed to be firm for the first year (June 1, 2014 to May 31, 2015) of the resulting Agreement and are to be quoted in Canadian dollars. HST is **not** to be included in any fee quotation.

Years 2015/16, 2016/17 & Option years 2017/18 and 2018/19 rate changes shall be modified in accordance with Statistics Canada Consumer Price Index - Annual Average for the City of Toronto as determined and officially released in January of each year.

Proposals are required to address the following selection criteria:

- 1) Statement of qualification for the principal proponent and each member of a proposed consortium;
- 2) Due to the specialized airport and 24/7 environment, it is desirable that all Proponents demonstrate, as part of their submission, any previous industrial experience at TPA or, other Canadian airport(s) of similar size and operational nature, within the past five (5) years;
- 3) Details of direct experience with environmental assessments and/or related professional services;
- 4) Minimum of three client references, noting a senior contact person and telephone number shall be submitted;
- 5) Identification of the key individuals who would be assigned to the project. Include professional credentials, capabilities, experience and billing rates. Provide company policy and practices in the event that the assigned individual becomes unavailable to serve for the entire assignment;
- 6) Submission of hourly rate table for Key Personnel;
- 7) Proponents shall indicate in their submission the time period for which their proposal is firm. Proposals shall be firm for a period of at least sixty (60) days from the submission date;
- 8) Proposals must be no larger than 25 pages. Additional material including related curriculum vitae may be attached separately;
- 9) Formal proposals, clearly marked "RFP No. 2014-220-02 Provision of Professional Engineering Services" are required to be submitted no later than May 22, 2014, at 3:00 pm (the "Closing Date and Time").
- 10) Four (4) copies of the proposal are required, three (3) bound hard copies, and one (1) in a digital format (Either a CD, DVD or a USB Key).
- 11) The Proponent's name must be shown on the package, together with the RFP number. Proposals are to be submitted in sealed envelopes to:

Toronto Port Authority  
60 Harbour Street, Second Floor  
Toronto, Ontario, M5J 1B7  
Attention: Mr. K. A. Lundy, P.Eng.

It is the Proponent's sole responsibility to ensure that its proposal is received before the Closing Date and Time. Late submissions will be returned unopened.

Please note that deliveries will not be accepted before 9 a.m.

### **Evaluation Methodology**

Proposals will be assessed and graded by an Evaluation Team which will include representatives from the TPA. All members of the Evaluation Team will have equal votes in the evaluation process. A matrix (see below) will be used to record the scores of each evaluator, and then a consensus will be reached through discussion internal to the Team.

The evaluation shall occur as soon as practicable after the Closing Time. The proponent's submission shall be evaluated in accordance with this RFP. Compliant submissions shall be scored and ranked according to the scoring criteria set out below. The scoring of submissions shall not be completed until all outstanding issues have been clarified.

Selection criteria for the consultant will focus on experience and resource capabilities specific to airport runway work, transportation infrastructure, marine environment work and public consultative methods. Consideration will also be given to the proponent's resources and capabilities to undertake the assignment and value of money.

Proposals will be assessed for completeness and conciseness of the proposal in accordance with the submission requirements and consistent with the evaluation criteria, quality of format and presentation of the proposal and the information provided.

Proposals shall not be opened in public, nor is the TPA obligated to disclose the financial and other details of any of the proposals.

Proponents must be prepared to provide the TPA with up to two hours of detailed presentation, providing clarification on any or all aspects of their submission. The TPA may make this request of any, all, or none of the proponents. Such request shall be made based upon the sole discretion of the TPA. A submission may be accepted without the requirement for a presentation.

The Written Proposal has a maximum value of 85 points. Particular attention will be given to the content of the proposal with respect to the following indicators. The descriptions which follow each of the evaluation criterion are not intended to be prescriptive, limiting or exhaustive - they are intended to serve only as a guideline.

#### **Overall qualifications of the firm and personnel:**

- number of personnel assigned
- qualifications



- experience of personnel assigned
- stability of staff (# of years with firm)
- Level of qualifications and experience of the proponent firm on comparable assignments in relation to the following:
  - Size and stability of firm and depth of experience on various project types.
  - Design experience and success.
  - Experience on airport projects.
  - Range of experience that can be drawn on from other individuals in the firm.
  - Depth of the firm to provide additional resources if and when needed.
  - Potential spill-over effect of other work entering the firm.
- Listing of accomplishments and record based on successfully completed services for assignments similar to those contemplated by this Request for Proposals over the last 5 years, including client's name and telephone number, description of work, location, and contract value, including information clearly demonstrating proper performance of requested services and adherence to budgets and time schedules.
- The ability and the capacity of the Key Personnel in the project team to provide the quality of services described in this Request for Proposals in relation to the following:
  - Identification of the Key Personnel who shall be involved in the provision of the Work, including an organization chart and list of personnel identified for specific tasks comprising the Work.
  - Completeness of the team. Are all the roles and specialties covered? Will the staffing levels be sufficient to meet the time frames in the work plan?
  - Qualifications and experience of each of the Key Personnel, including length of employment with the proponent firm.
  - The extent of relevant airport experience of the Key Personnel, including familiarity with airport procedures and security requirements.
  - The degree of involvement and relevant experience of Key Personnel; expertise and involvement for completed projects listed by the proponent; and their responsibilities and experience on projects or processes under conditions similar to those contemplated by this Request for Proposals.
- A commitment to provide qualified resources to the project, including identifying what back-up resources will be committed if any proposed personnel are not available.

#### Project experience

- Relevant experience
- Magnitude
- Industrial experience
- Demonstration of how well the project team can be expected to perform and completeness of services required to meet the goals and objectives, including organization of the project team, inter-relations between prime and sub-consultants, and management of the services.
- Demonstration of a clear understanding of the requirements of this RFP.

- A demonstration that the proponent understands the requirement to work in the Airport environment.
- Identification of the issues, challenges and constraints when work is carried out at the airside area, groundside area and/or terminal buildings.
- Recognition of the roles of the user, TPA and other key players such as airlines and other Authorities Having Jurisdiction.

#### Resources available within the firm

- Technical resources
- Assessment of alternatives
- Up-to-date technology

#### Demonstrated ability to manage program delivery

- Scheduling
- Cost of control
- Quality control
- Reporting
- Outside resources
- Identification and listing of proposed services, including a typical work plan that describes the tasks and activities to be performed for each stage or deliverable of the project, including how they will be performed by the project team.
- The approach to dealing with the major issues during the project; schedules; and cost and quality control of the design. Identification and listing of all items included in the proponent's proposed Work and methodology, including equipment, tests and procedures.
- Demonstration that the proposed Work and methodology address the requirements identified in this Request for Proposals in an efficient and cost effective manner.

#### Location of the firm

- Proximity
- Travel costs

#### Evaluation Matrix

<u>Evaluation Criteria</u>	<u>Max. Points</u>
Qualification of Firm and Personnel	35
Project Experience	25
Resources Available within Firm	5
Management of the Work	15
Geographic Location	5
Per Hour Blended Fee	15
Total Score	100

The Proponent(s) whose fee proposal represents the best value to the TPA will be assigned up to the maximum score of 15 points. The remainder of the Proponents will be assigned points on a scale commensurate with their ranking within the field.

The Proponents with the highest ranking will be determined on the basis of the highest aggregate score. The final ranking of submissions shall be based on their respective total scores, including the results of any presentations.

The Consultant will undertake the Work as described in this RFP for the following all inclusive hourly rates:

The Proponent verifies that the hourly rates submitted are all inclusive and shall be payable only for the actual time worked to perform the Work requested by the TPA, and all such time shall be verified and approved by the TPA prior to payment being made.

Time not directly related to the performance of the Work requested including travel time, down time and any other non-productive time is non-chargeable and shall be considered part of the overhead embedded in these hourly rates. Rates are inclusive of all disbursements such as mileage, vehicle charges, meals, supplies, tools and equipment, reporting and distribution of reports. No extra costs shall be reimbursed.

The TPA may, in its sole discretion, pay for special charges that are identified and brought to the attention of the TPA prior to the Consultant commencing the Work requested by the TPA under an assignment. The TPA shall determine if such charges are reasonably and properly incurred in the performance of the Work, at cost, without any allowance for overhead or profit, which shall be considered on an individual basis and shall be identified at the time of the assignment quotation. No payment for such charges shall be made without prior authorization of the TPA.

Without limiting the generality of the TPA's rights described elsewhere herein, the TPA shall not be required to accept the highest ranked or lowest cost submission, or any submission.

The TPA is seeking the best available service for best value so as to deliver the services in a manner that is efficient and cost effective. In its service relationship to the regional community, the TPA must also demonstrate that regional industry has been given fair opportunity to participate in the delivery of the service. Therefore Proponents are advised that, in the evaluation of proposals, consideration will be given to origin of services, such that where two proposals are virtually equal in merit, first ranking will be given to the Proponent having the higher ratio of regional origin of service

The three Proponents with the highest rankings as outlined above will be contacted for the purpose of reviewing the proposed scope and level of services to be provided and the associated allocation of fee. It is expected that these Proponents will be able to support fair value and acceptable levels of service for the fee as proposed.

The TPA at its discretion may then initiate negotiations with all or any of these Proponents in an attempt to reach understanding and consensus on terms acceptable to both parties. Once these terms are accepted, the Proponent and TPA will proceed to finalize arrangements for contract award and contract document.

In the event that any of the three Proponents with the highest ranking and the TPA fail to agree on terms for the services to be provided, negotiations will be terminated by the TPA. The Proponent with the fourth highest ranking may then be invited to participate in the negotiation process. The process may be repeated as often as necessary.

A TPA Model Form of Agreement is included as Appendix A. It will be used as a basis for negotiation. The two parties will agree to a process for preparing and signing a mutually acceptable contract document without delay. In the event that the two parties fail to agree on the terms of contract, TPA will terminate negotiations. No contract exists until such time as the two parties sign a contractual agreement.

#### **Clarification or Inquires**

All requests for clarification concerning this Request for Proposal should be made by email to the attention of Mr. Jeff Joss, Project Coordinator  
jjoss@torontoport.com

Clearly indicate in the subject line the RFP number.

If required, addenda documents will be issued by mail, fax or other means to the designated individual of each proponent. The addenda will be deemed to be part of the Request for Proposal document and must be noted so in the proposal submission.

No contact is permitted with any TPA Board member, officer or employee except the contact person identified above.

#### **Additional Terms and Conditions**

- The Toronto Port Authority may amend the requirements and specifications set out in this Request for Proposal at its discretion.
- The Toronto Port Authority may cancel or withdraw this Request for Proposal at its discretion. The Toronto Port Authority is not bound to accept the lowest or any offer for these services and may reject any or all proposals. The Toronto Port Authority reserves the right not to award a contract to the highest evaluated proposal or to any proposal. This Request for Proposal is not an irrevocable offer to purchase goods or services.

- All documents submitted by the proponent will be recognized as proprietary and will be held in confidence by the Toronto Port Authority and not be released without the prior authorization of the proponent, unless required by law.
- The Toronto Port Authority will not be liable for any costs of preparation or presentation of proposals, including presentations that may be requested by the Toronto Port Authority.
- Proposals submitted shall be final and may not be altered by subsequent offerings, discussions, or commitments unless the proponent is requested to do so by the Toronto Port Authority.
- In the event that a proponent is asked by the Toronto Port Authority to provide additional information that is beyond a request for clarification, the Toronto Port Authority will assess the relevance of the request to other submissions. The Toronto Port Authority will exercise discretion in determining whether or not to notify any, or all, proponents of the request and to provide an opportunity for other proponents to provide similar information.
- The Toronto Port Authority will require the consultant selected to provide services to be free of any conflict of interest and will expect the consultant to advise the Toronto Port Authority of any actual or potential conflicts of interest.
- The Toronto Port Authority shall be the sole owner of all materials, including reports, documentation and information (including copyright). The successful proponent warrants that the Toronto Port Authority shall have free and clear title to all materials produced and delivered to the Toronto Port Authority.
- Any agreement that follows from this selection process will stipulate that the services to be provided by the Proponent will be non-exclusive.
- The successful Proponent will be required to provide to the TPA and its insurance carrier such information as is required.
- The following Insurance requirements must be met by the Proponent:  
Comprehensive General Liability for not less than Five Million Dollars (\$5,000,000.00), combined single limits, per occurrence and aggregate.  
Professional errors and omissions (“E&O”) liability insurance with policy limits of not less than Two Million Dollars (\$2,000,000.00), per claim.
- The successful Proponent will be required to obtain Restricted Area Identity Cards for field personnel. Failure to be approved may result in cancellation of Agreement.
- Proponents must satisfy themselves in all respects as to the risks and obligations to be undertaken under contract.



- Any inconsistency, discrepancy, ambiguity, or omission noted in the RFP documents should be brought to the immediate attention of the TPA in writing.

- end -

## **APPENDIX**

A. Model Form of Agreement

B. RFP Environmental Assessment of Proposed Extension of Runway 08-26