Minutes – Executive Policy Committee – September 21, 2023

Report – Standing Policy Committee on Public Works – September 11, 2023

Item No. 1 Award of Contract for the Provision of Accessible Transportation Services for Winnipeg Transit Plus – RFP 946-2022

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Public Works and submitted the following to Council:

1. That the City enter into, execute and deliver the Contract for the Provision of Accessible Transportation Services for Winnipeg Transit Plus for the period of seven years from start date of Contract (anticipated to be January 1, 2025, meaning expected contract duration is January 1, 2025, to December 31, 2031, but may be adjusted pursuant to D2.2 of RFP 946-2022 if the start date of the Contract is delayed through no fault of the Contractor) in the estimated amount of $9,945,300.48 (estimated annual inflationary adjustment of 5% applied) based on an estimated annual amount of $1,221,480.00 GST and MRST extra as applicable with AB Transit Inc. and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

2. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the above contract and the Ancillary Agreements, in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Minutes – Executive Policy Committee – September 21, 2023

Report – Standing Policy Committee on Public Works – September 11, 2023

DECISION MAKING HISTORY:

Moved by Councillor Lukes,

That the recommendation of the Standing Policy Committee on Public Works be concurred in and forwarded to Council.

Carried

Councillor Mayes asked to be recorded as having voted against the above motion, in accordance with Rule 47(7) of The Procedure By-law No. 50/2007.

STANDING COMMITTEE RECOMMENDATION:

On September 11, 2023, the Standing Policy Committee on Public Works concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

COUNCIL DECISION:

On July 13, 2023, Council referred the item back to the Standing Policy Committee on Public Works.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 5, 2023, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Public Works and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 26, 2023, the Standing Policy Committee on Public Works concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: Award of Contract for the Provision of Accessible Transportation Services for Winnipeg Transit Plus, RFP 946-2022

Critical Path: Standing Policy Committee on Public Works – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
T. Platt	G. Ewankiw	C. Kloepfer	M. Jack

EXECUTIVE SUMMARY

Private contractors deliver service for Winnipeg Transit Plus and contracts are awarded through the City's Request for Proposal (RFP) process. RFP 946-2022 will be awarded as a whole.

This report is for the award of contract to AB Transit Inc. who was the highest-rated qualified Proponent submitting the most advantageous proposal on RFP 946-2022. The Work contained in RFP 946-2022 constitutes approximately 7% of the Winnipeg Transit Plus service delivery.

RFP 946-2022 will replace contract 8-2017 which will expire on December 31, 2024.

The Recommendations included in this Report complies with the requirements of the various trade agreements and the City's Materials Management Policy.

RECOMMENDATIONS

1. That the City enter into, execute and deliver the Contract for the Provision of Accessible Transportation Services for Winnipeg Transit Plus for the period of seven years from start date of Contract (anticipated to be January 1, 2025, meaning expected contract duration is January 1, 2025, to December 31, 2031, but may be adjusted pursuant to D2.2 of RFP 946-2022 if the start date of the Contract is delayed through no fault of the Contractor) in the estimated amount of $9,945,300.48 (estimated annual inflationary adjustment of 5% applied) based on an estimated annual amount of $1,221,480.00 GST and MRST extra as applicable with AB Transit Inc. and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

2. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the above contract and the Ancillary Agreements**,** in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

3. That the Proper Officers of the City do all things necessary to implement the foregoing.

REASON FOR THE REPORT

The contract term exceeds five years and is for purchases that obligate the City to expenditures on future budgets in a total estimated amount that exceeds $5 million. As a result, Council approval is required pursuant to Section B8.2.2 of the Materials Management Policy.

IMPLICATIONS OF THE RECOMMENDATIONS

Currently, the delivery of Winnipeg Transit Plus service is 100% contracted out to the private sector.

Funds for this work are included every year in Transit's Annual Operating Budget accounts for Transit Plus contractor service.

The work contained in RFP 946-2022 is replacing a similar contract ending December 31, 2024. The work shall be done on an "as required" and "as scheduled" basis during the term of the Contract. The award is being submitted at this time to allow the successful bidder time to procure the vehicles as specialized vehicles have been met with long procurement timelines.

The vehicles to be used in this contract are the CS-2: Dual Ramp Micro Transit Vehicles (Ram ProMaster chassis) from Creative Carriage or approved substitution meeting or exceeding the CAN/CSA-D409-16 (Reaffirmed 2021) Standards, fully crash-tested to meet Canadian Motor Vehicles Safety Standards with a passenger capacity of two wheelchair securement spots and five seats for ambulatory customers.

HISTORY/DISCUSSION

In 1977, Winnipeg Transit Plus began as a pilot to provide service for those persons who were physically unable to use fixed-route transit. Winnipeg Transit provided service using City owned vehicles and City employees.

By 1988, the demand for Winnipeg Transit Plus service had increased well beyond the funding available to accommodate the demand. As a result, the Transit Department began to contract out the increasing demand for service to private contractors in the taxi business on a brokerage basis, i.e., all requests for service would come to Winnipeg Transit Plus who would prioritize them and schedule them on existing resources to the extent possible, including vehicles provided by private contractors.

By 1996, private contractors delivered 70% of the total service. In June 1997, the remaining 30% of the service delivery was contracted out to private sector contractors on a brokerage basis.

RFP 946-2022 allowed Proponents to respond with proposals. The Work defined in the Contract is for five CS-2: Dual Ramp Micro Transit Vehicles (Ram ProMaster chassis) to perform the Work in the approximate quantity of 18,096 vehicle hours per year for seven years.

Bids were evaluated based on the following evaluation criteria as defined in B21 of the RFP:

(a) compliance by the Proponent with the requirements of the Request for Proposal or acceptable deviation therefrom: (pass/fail);
(b) qualifications of the Proponent and the Subcontractors, if any, pursuant to B15: (pass/fail);
(c) Total Bid Price. (60%);
(d) Experience of Proponent and Subcontractor (15%);
(e) Experience of key personnel assigned to the project (5%);
(f) Business Plan (20%)

	EVALUATION BY PROPONENT RFP No. 946-2022							
Proponent	**Compliance (Responsive)**	**Qualifications of Proponent**	**Fees**	**(c)**	**(d)**	**(e)**	**(f)**	**Total**
	Pass/Fail	***Pass/Fail***		***60%***	***15%***	***5%***	***20%***	***100%***
AB Transit Inc.	***Pass***	***Pass***	***$8,550,630.00***	***59.11%***	***11.5%***	***3.5%***	***12.5%***	***86.61%***
Bidder B	***Pass***	**	***$10,683,516.48***	***47.31%***	***14.5%***	***5%***	***19.5%***	***86.31%***
Bidder C	***Pass***	**	***$8,423,688.00***	***60.00%***	***0%***	***0%***	***3%***	***63.00%***

**Qualifications included in B15 are verified only for the recommended Proponent

Note: Prices listed under fees are for the seven year contract excluding the annual inflationary adjustments, GST extra as applicable.

Note: as per B21.12, Bidder C did not receive the required minimum 50% of points for each category.

AB Transit Inc. is the highest rated qualified Proponent for the Work and, accordingly, is the responsible and qualified Proponent submitting the most advantageous offer to the City. Winnipeg Transit is satisfied that AB Transit Inc. has the necessary resources to perform the Work in accordance with the requirements of the specifications. The Proponent recommended for award of the Work has satisfactorily carried out previous work of a similar nature and has submitted a responsive proposal. AB Transit Inc. is currently performing similar work for Winnipeg Transit Plus.

The terms of the contract include the provision of an annual inflation adjustment which is calculated based on the year over year change in three Statistic Canada indices. The first adjustment is effective January 1, 2026.

The Contract Administrator is confident that AB Transit Inc. has the necessary experience, capital, organization and equipment to perform the Work in strict accordance with the terms and provisions of the Contract.

The proposed contractor has a written Workplace Safety and Health program that has been reviewed by an independent reviewer and approved by the City, which satisfactorily meets the requirements of Section 7.4(5) of The Workplace Safety and Health Act.

The contract is for seven years effective January 1, 2025; however, if the start date has to be delayed through no fault of the Proponent, the Contract period will be seven years from the actual start date of the Work in accordance with D2.2.

The requirements for Bid Security were waived for this purchase in accordance with the authority delegated to the Manager of Materials pursuant to Administrative Standard FM-002.

This is an “as required” and “as scheduled” contract and goods and/or services will only be ordered to the extent budget funds are available.

The Proposals are valid and open for acceptance until June 10, 2023 (a request to extend this to July 31, 2023, has been sent to the bidders).

FINANCIAL IMPACT

Financial Impact Statement **Date:** May 12, 2023

Project Name: **First Year of Program** **2025**

Award of Contract for the Provision of Accessible Transportation Services for Winnipeg Transit Plus, RFP 946-2022

	2025	2026	2027	2028	2029
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ 1,221,480	$ 1,282,554	$ 1,346,682	$ 1,414,016	$ 1,484,717
Less: Incremental Revenue/Recovery	-	-	-	-	-
Net Cost/(Benefit)	$ 1,221,480	$ 1,282,554	$ 1,346,682	$ 1,414,016	$ 1,484,717
Less: Existing Budget Amounts	1,221,480	1,282,554	1,346,682	1,414,016	1,484,717
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: Direct costs include the estimated contract costs plus an annual inflation adjustment, estimated to be 5% per year. There is no applicable MRST on this work. Funds are budgeted as part of Transit's annual operating budgets. The total contract amount for the seven year period January 1, 2025 - December 32, 2031 is estimated at $9,945,300 assuming 5% annual inflation. This is an “as required” and “as scheduled” contract and services will only be utilized to the extent budget funds are available.

Laurie Fisher May 12, 2023

Laurie Fisher, CPA, CA
Manager of Finance and Administration

CONSULTATION

This Report has been prepared in consultation with: N/A

OURWINNIPEG POLICY ALIGNMENT

Environmental Resilience, Objective 2: Prioritize sustainable transportation as the mobility options of choice.
Prioritize sustainable transportation as the mobility options of choice. Transition to a sustainable transportation system that safely and efficiently moves people, goods and services, increases access to a variety of affordable mobility choices, encourages less reliance on personal vehicle travel, reduces travel time, mitigates congestion and related greenhouse gas emissions, and supports the development of denser, better-connected, healthy and complete communities.

Winnipeg Transit Master Plan (2021)
Network Goals:

1. Enhance Customer Experience
   Increase Ridership
   Improve Downtown Mobility
   Complement Land-Use Development
   Improve Multi-modal Mobility
   Ensure Transit is Inclusive
   Continuously Innovate
   Empower Healthy Communities
   Balance Investment with Affordability

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

This report is in accordance with the Winnipeg Climate Action Plan (WCAP) as per Directions 3.1 *Increase Use and Efficiency of Public Transit Systems* (p.46).

Relevant actions include: Deliver continuous improvement in transit service with a focus on customer service, reliability, and route connectivity, and public education found on page 46 of the WCAP.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to the Winnipeg Poverty Reduction Strategy (PRS) and its Goals and Objectives, and it was determined that the PRS is not applicable to this specific report.

SUBMITTED BY

Department: Transit
Division: Client Services
Prepared by: Sam Brask, Operations Supervisor
Date: May 17, 2023