

Formal Bid Protest

PRC004414 – Area Roadway
Maintenance and
Miscellaneous Repairs.



Summary of the Bid Process

- Published Date: Fri Mar 1, 2024 3:25:00 PM (EST)
- **Estimated Value of the Bid is not published with the Bid**
- Bid Closing Date: Tue Mar 26, 2024 2:00:00 PM (EDT)
- Unofficial bid results Declared on: Thru Mar 26, 2024
- The Value of Bid Quoted by the least 3 Bidders is shown below:

ROYAL CROWN CONSTRUCTION	Gorantla, Praveen 1251 OLD SCHOOL RD , CALEDON ON, CANADA L7C0X4	\$4,108,612.78
Forest Contractors Ltd.	Gurreri, Domenic 240 Chrislea Road, Vaughan Ontario, Canada L4L 8V1	\$4,891,668.38
Royal Ready Construction Limited	Capobianco, Tony Jr 2447 Royal Windsor Drive, Oakville Ontario, Canada L6J 7X6	\$5,071,810.00

Requirement for City of Mississauga Procurement

- As per Notice published on City of Mississauga Procurement Portal regarding Occupational Health and Safety Management System (OHSMS) certification the following statements are stated:
- Contractors are **not required to submit any documentation at this time**. Effective July 1, 2024, Contractors will be required to provide their **proof of registration with an OHSMS for projects valued between \$500,000 and \$5,000,000** at time of award and upon request.
- Currently, Contractors on any construction project being undertaken with the City of Mississauga with a value over \$5,000,000 must be **certified** with an approved OHSMS.
- Phase 5A implementation of OHSMS issued in January 2024 requires:

Phase	Implementation Date	Requirement
Phase 5A	July 1, 2024	Construction contracts valued between \$500,000 and \$5,000,000 will require, at minimum, registration with an approved OHSMS program
Phase 5B	January 1, 2025	Construction contracts valued greater than \$500,000 will require certification with an approved OHSMS program

Reason for Protest

- On 24th April 2024 Royal crown construction was disqualified from bidding due to not having the OHSMS certification and stating project value will be more 5 million if the project is awarded to Royal Crown construction for 2025.
- But as per the Phase 4 of OHSMS implementation issued on January 1st, 2024, projects valued more than \$5 Million dollar will only have to carry the OHSMS certification which will not be applied to subjected project as the lowest bidder is at \$4.1 Million and contract extension for further years would be a mutual agreement between both the city and contractor.
- Royal Crown construction is registered for the Certificate of Recognition (CORTM) program in Ontario which is the requirement from July 1, 2024 and we are thriving to get the Certificate in the next 6 months (A copy of letter issued by the agency was also provided to the Procurement team and the same is attached for your reference).
- The Notice published on 24th April 2024 and qualification requirement mentioned in the bid were contradictory.

- Royal Crown Construction has over a decade of experience in executing Infrastructure Projects and has the capability for execution of project in a safe and timely manner with value for the money service. We have a vast fleet at our disposal along with skilled manpower to tackle the project of this nature.
- We kindly request the Committee to consider our bid for Award, as this would result in saving the taxpayer money sum of \$ 700,000.00 and since we are registered for OHSMS and in process for getting certificated, we would maintain the best standard for safety and are competent for execution of the Project

Thank you