



REPORT FOR ACTION

Non-Competitive Contract with Lands and Forests Consulting for Prescribed Burn Services in 2020-2024

Date: August 14, 2019
To: Infrastructure and Environment Committee
From: General Manager, Parks, Forestry and Recreation
Chief Purchasing Officer, Purchasing and Materials Management Division
Wards: Ward 3 Etobicoke-Lakeshore, Ward 4 Parkdale-High Park

SUMMARY

The purpose of this report is to request authority to enter into a non-competitive contract with Lands and Forests Consulting for the provision of planning and implementing the prescribed burn program for a period of five years from the effective date of the signed agreement and for the amount of \$175,300 net of all applicable taxes and charges (\$178,385 net of HST recoveries). Lands and Forests Consulting has worked with the City to plan and implement a total of 24 prescribed park burns since 2000.

Lands and Forests Consulting has extensive experience both planning and executing high complexity burns in southern Ontario. No other vendors are able to match the qualifications and experience required for high complexity burning, and it is for that reason that Urban Forestry is requesting support to continue to enter into a non-competitive contract with Lands and Forests Consulting to carry out prescribed burns in select Toronto parks.

City Council approval is required in accordance with City of Toronto, Municipal Code Chapter 195, Purchasing, where the current request has exceeded the Chief Purchasing Official's authority of the cumulative five year commitment limit under Section 1 of the Purchasing By-Law.

RECOMMENDATIONS

The General Manager of Parks, Forestry and Recreation and Chief Purchasing Officer, Purchasing and Materials Management Division recommend that:

1. City Council authorize the General Manager, Parks Forestry and Recreation, to negotiate and execute a non-competitive contract with Lands and Forests Consulting in the total amount of \$35,060 net of all applicable taxes and charges (\$35,677 net of HST recoveries) for the provision of planning and implementing the prescribed burn program from January 1, 2020 to December 31, 2020, with the option to renew the contract for

up to four additional one-year terms (2021-2024) at the sole discretion of, and on terms and conditions (including price), satisfactory to the General Manager, Parks, Forestry and Recreation and the City Solicitor, and subject to budget approval, for a total potential contract value, including all option years of \$175,300 net of all applicable taxes and charges (\$178,385 net of HST recoveries).

FINANCIAL IMPACT

The contract value for a one year contract identified in this report is of \$35,060 net of all applicable taxes and charges, \$39,671 including all taxes and charges. The total cost to the City is \$35,677 net of HST recoveries.

Sufficient funding will be requested in the 2020 Operating Budget Submission for Parks, Forestry and Recreation and base funding is available in the 2019 Approved Operating Budget for Parks, Forestry and Recreation.

Should the City choose to exercise its option to renew for an additional four separate one year periods, then appropriate additional funding, if needed, will be included in the 2021-2024 annual Operating Budget Submissions for Parks, Forestry and Recreation.

The total potential contract value, including all option years is \$175,300 net of all applicable taxes and charges, \$198,085 including all taxes and charges. The total potential cost to the City is \$178,385 net of HST recoveries.

Funding details are as follows:

Year	Cost Centre	Cost Element	Net of all Taxes and Charges	Including all Applicable Taxes and Charges	Net of HST Recoveries
2020	P00016	4409	\$35,060	\$39,671	\$35,677
2021*	P00016	4409	\$35,060	\$39,671	\$35,677
2022*	P00016	4409	\$35,060	\$39,671	\$35,677
2023*	P00016	4409	\$35,060	\$39,671	\$35,677
2024*	P00016	4409	\$35,060	\$39,671	\$35,677
TOTAL			\$175,300	\$198,085	\$178,385

**Funding for 2021-2024 will be included in future years' Operating Budget Submissions*

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

At its meeting of February 29, March 1 and 2, 2000, City Council authorized the City Forester of Economic Development, Culture and Tourism, Parks and Recreation

Division to approve the Operational Prescribed Burn Plan, prepared by the Burn Boss and reviewed by the Ministry of Natural Resources and Forestry Fire Supervisor.
<http://www.toronto.ca/legdocs/2000/agendas/council/cc/cc000229/to4rpt/cl016.pdf>

At its meeting of February 4-7 and 10-11, 2003, City Council adopted the report High Park and South Humber Park Proposed Prescribed Burns - Spring 2003.
<http://www.toronto.ca/legdocs/2003/minutes/council/030204.pdf>

At its meeting of March 1, 2 and 3, 2004, City Council adopted the report High Park Proposed Prescribed Burn Spring 2004.
<http://www.toronto.ca/legdocs/2004/agendas/council/cc040301/edp2rpt/cl004.pdf>

At its meeting of January 31, February 1 and 2, 2006, City Council adopted a staff report approving the prescribed burn program and provided the Director, Urban Forestry in future years to proceed with the implementation of prescribed burns in appropriate areas following consultation with local Councillors.
<http://www.toronto.ca/legdocs/2006/agendas/committees/edp/edp060116/agenda.pdf>
<http://www.toronto.ca/legdocs/2006/agendas/committees/edp/edp060116/it014.pdf>

At its meeting held on March 31, April 1 and 2, 2015, City Council adopted a staff report authorizing the issuance of a Sole Source Contract to 1313135 Ontario Inc., carrying on business as "Lands and Forests Consulting" in the total amount of \$73,703, net of all applicable taxes and charges (\$75,000 Net of HST recoveries) for services provided from March 1, 2015 to December 1, 2015, with the option to renew the contract for up to four additional one-year terms at the sole discretion of, and on terms and conditions (including price), satisfactory to the General Manager, Parks, Forestry and Recreation, and the City Solicitor, and subject to budget approval.
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PE2.3>

COMMENTS

Toronto is home to the globally rare black oak savannah habitat, located in High Park, Lambton Park, and South Humber Park. Prescribed burning is an integral management tool in the maintenance and management of this rare habitat. The Ontario Ministry of Natural Resources and Forestry (MNR), Toronto and Region Conservation Authority (TRCA) and the City of Toronto have recognized the need to protect and restore these areas of savannah by designating them as Environmentally Significant Areas (ESA), Areas of Natural and Scientific Interest (ANSI) (High Park), or candidate ANSIs (South Humber Park and Lambton Park).

The High Park Woodland and Savannah Management Plan was developed in 2002 for the management of the natural areas in High Park. This document outlined the goals and objectives for the management of the natural areas in High Park, as well as the methods and tools required to achieve them. Prescribed burning is identified as an important management tool in that document. Urban Forestry is now working on a gap analysis to update this management plan, including the creation of a 10-year burn management plan as part of this procurement process to guide future management of the park's natural resources.

Prescribed burning is the deliberate application of controlled fire, and is an important management tool required to restore and maintain disturbance dependant habitats like the globally rare black oak savannah. Urban Forestry has been using prescribed burning as a management tool to restore and maintain these savannah habitats in High Park, Lambton Park, and South Humber Park since 2000. Densely urbanized centres such as Toronto are highly complex areas in which to burn, and it is crucial to have skilled staff to perform these burns effectively and safely.

Prescribed burns can only be conducted by qualified professionals with training to perform complex controlled burns. Prescribed burns within a densely populated urban landscape such as Toronto require even more specialized training and experience.

City of Toronto staff recognize that prescribed burns can be dangerous if not managed properly and thus have put great importance on the ability to hire qualified experienced staff to conduct prescribed burns on City of Toronto property. As determined by previous informal call processes, and in consultation with the MNRF fire advisor for the province, no other contractor has been found to have the qualifications necessary to carry out high complexity prescribed burns in southern Ontario. The City has worked with Lands and Forests Consulting since 2000 to implement prescribed burns for over 50 hectares of black oak savannah. This has included a total of 24 prescribed burns, 14 prescribed burns in High Park, five prescribed burns in Lambton Park and five prescribed burns in South Humber Park.

The total cost for the planning and implementation of prescribed burns with Lands and Forests Consulting is \$175,300.00, net of all applicable taxes and charges. While costs have fluctuated from year to year depending on the work required, in recent years it has cost approximately \$14,000/year to undertake annual burn planning and implementation. The increased overall cost of the proposed 2020 contract is due to the larger area being burned at two park sites and the additional planning work that is being requested. Urban Forestry is looking to work with Lands and Forests Consulting to analyze the results of the prescribed burn program and develop a 10-year plan. This would also include forest surveys, fire regime analysis and silvicultural forest prescriptions for each proposed burn unit within High Park, South Humber Park and Lambton Park. The cost of this additional work has been incorporated into the 2020-2024 Operating Budget and is part of Urban Forestry's initiative to update the management plan for High Park and contribute to ESA management plans for South Humber Park and Lambton Park.

High Park, Lambton Park, and South Humber Park are Highly Complex Burn sites

The MNRF describes and assigns the prescribed burn site characteristics and operational factors based on low and high complexity using an assessment key. The key assesses 13 different criteria that contribute to the overall complexity for planning and carrying out a prescribed burn. These criteria include fire intensity, fuel type, values that could be impacted, smoke management impacts, site boundaries, type of ignition, burn site perimeter size, equipment required, shape of prescribed burn area, land ownership, geographic location and visibility. Urban sites in the City of Toronto (including High Park, Lambton Park, and South Humber Park) fall within the high

complexity criteria. This is due to the potential impacts fire can have on public and private structures, as well as the risk of human impacts from smoke.

Carrying out prescribed burns in urban sites such as Toronto requires a much more specialized set of skills that cannot be obtained through the more widely available low complexity training program. The training required to be qualified to carry out high complexity burns is currently only available to MNRF employees and there are no other organizations that offer the same qualifications to individuals not employed by the government. The last training course was offered over 15 years ago, so there are a very limited number of people in the province who are adequately trained to plan and implement high complexity burns. Lands and Forests Consulting has a Burn Boss and alternate, qualified for high complexity burns by the MNRF Burn Boss program and all of their field staff are all fully certified and trained to MNRF wildland firefighting standards.

Lands and Forests Consulting has extensive experience in both planning and executing high complexity burns in southern Ontario. They have successfully completed over 400 incident-free prescribed burns across south and south-central Ontario since 1998. They have been a leader in southern Ontario for urban burn programs for the ecological enhancement and sustainability of fire dependent ecosystems for the last two decades.

Prescribed Burn Implementation

City Council adopted staff reports seeking approval to proceed with prescribed burns in 2001, 2002, 2004, 2006 and 2015. In 2006, authority for future prescribed burns was provided to the Director of Urban Forestry, the Toronto Fire Chief and the local Councillor (to sign off on the communication plan). Urban Forestry works closely with High Park community members and volunteers on preparing for and assessing the results of prescribed burns in High Park. As part of the planning process, a technical advisory group that consists of professionals from MNRF, TRCA, City staff, and interested members of the local community meet near the end of every summer to evaluate the results of the previous spring's burn, and to review and identify the areas for the following year's prescribed burn.

The contracted Burn Boss prepares a prescribed burn plan taking into consideration site goals and safety concerns. The plan is circulated for approval and sign-off. The prescribed burns are typically proposed for early spring implementation to promote native savannah species and reduce competition from non-native invasive species. Smoke potential is also lower in early spring before the growth of new vegetation and park users are not yet at peak numbers.

Prescribed Burn Monitoring and Planning

Following the prescribed burn each spring, a monitoring program is conducted by staff to collect site data including burn area coverage and vegetation response. Additional data collection and analysis is being requested of the vendor Lands and Forests Consulting to evaluate the success of the prescribed burn program; contribute to the High Park Woodland and Savannah Management Plan update and ESA management plans for Lambton Park and South Humber Park.

This program review will evaluate the impact of prescribed burning on each management unit and provide management recommendations moving forward. Forest

surveys will also be completed for each unit including analysis of forest stand composition, tree crown classification, tree canopy health, and forest understory regeneration. The review of each prescribed burn unit will be used to re-evaluate the fire regime and develop a 10-year prescribed burn management plan.

The Fair Wage Office has reported that Lands and Forests Consulting has indicated that it has reviewed and understands the Fair Wage Policy and Labour Trades requirements and has agreed to comply fully.

CONTACT

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SIGNATURE

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ATTACHMENTS
