

## **2021 Update on Fire and Life Safety Compliance at the City of Toronto**

**Date:** November 16, 2021

**To:** General Government and Licensing Committee

**From:** Executive Director, Corporate Real Estate Management

**Wards:** All

### **SUMMARY**

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This report provides an annual update on fire and life safety compliance at the City of Toronto ("the City"), as directed by City Council ([AU13.11](#)). The report reviews the 2020 compliance, as assessed by an internal team of Quality Assurance & Risk Management Assessors, against the 2017, 2018 and 2019 baseline data. The assessment shows that both fire and life safety record completion and compliance rates continue to improve. Significant progress has been made in standardizing fire and life safety vendor work within City owned buildings.

In 2021, Corporate Real Estate Management (C.R.E.M.) continued to centralize and standardize fire and life safety services across the City. Despite challenges resulting from the COVID-19 pandemic, C.R.E.M. made significant progress implementing the Master Fire Program, and awarded a new competitive procurement for inspections, testing and maintenance services, and the recruitment of new staff to enable the new service model.

### **RECOMMENDATIONS**

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The Executive Director, Corporate Real Estate Management, recommends that:

1. City Council receive this report for information.

### **FINANCIAL IMPACT**

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There are no financial implications to the City of Toronto as a result of this report.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact Section.

## DECISION HISTORY

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At its meeting on December 16, 2020, City Council adopted GL19.10 "Update on Fire and Life Safety Compliance at the City of Toronto," which provided an update on the City's work to address the Council-adopted recommendations put forth by the Auditor General in AU13.11 "Raising the Alarm: Fraud Investigation of a Vendor Providing Life Safety Inspection Services to the City of Toronto," including the establishment of a City-wide Fire and Life Safety Program Office, an independent audit of 10 percent of the City's building portfolio, the development of standard operating procedures, contract improvements, and the promotion of a culture of life safety at the City.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.GL19.10>

At its meeting on March 9, 2020, the General Government and Licensing Committee adopted GL12.15 "Status of the Auditor General's Recommendations Pertaining to Fire and Life Safety at the City of Toronto," which provided an update on the City's work to address the Council-adopted recommendations put forth by the Auditor General in AU13.11 "Raising the Alarm: Fraud Investigation of a Vendor Providing Life Safety Inspection Services to the City of Toronto." C.R.E.M. presented a one-page progress matrix that responded to the Auditor General's findings, and provided an update on the operationalization of the Fire and Life Safety Program Office and centralization of fire and life safety functions City-wide.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.GL12.15>

At its meeting on October 29, 2019, City Council adopted GL8.8 "Update on Fire and Life Safety at the City of Toronto and Non-Competitive Agreement with Building Reports Canada for the Provision of Fire and Life Safety Tracking and Compliance Software" and issued multiple directions to the Executive Director, C.R.E.M. and other City staff to report annually to the General Government and Licensing Committee with a one-page progress matrix that responds to the Auditor General's findings.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.GL8.8>

At its meeting on May 21, 2019, the General Government and Licensing Committee adopted GL5.14 "Interim Status Report on Fire and Life Safety," which provided an update on the City's work to address the Council-adopted recommendations put forth by the Auditor General in AU13.11 "Raising the Alarm: Fraud Investigation of a Vendor Providing Life Safety Inspection Services to the City of Toronto," including the establishment of a City-wide Fire and Life Safety Program Office, an independent audit of ten percent of the City's building portfolio, the development of standard operating procedures, contract improvements, and the promotion of a culture of life safety at the City.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.GL5.14>

At its meeting on July 23, 2018, City Council adopted AU13.11 "Raising the Alarm: Fraud Investigation of a Vendor Providing Life Safety Inspection Services to the City of Toronto," and issued multiple directions to the General Manager, Facilities Management and other City staff to improve the management and delivery of fire and life safety service at City buildings. In adopting the item, City Council directed the General

Manager, Facilities Management to report back to City Council annually on the level of fire and life safety compliance.

<http://app.toronto.ca/tmmis/viewAgendaltmHistory.do?item=2018.AU13.11>

## COMMENTS

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### 2020 Fire and Life Safety Compliance in City Facilities

In 2021, C.R.E.M. conducted a comprehensive assessment of fire and life safety inspection records from 2020 across a sample of divisions and agencies. The work was undertaken by the Fire and Life Safety Program Office and internal Quality Assurance & Risk Management Assessors who specialize in fire and life safety compliance. C.R.E.M. used the Auditor General's 2018 findings as a baseline, and considered building type and program use to select a sample of 62 buildings to assess in 2020.

Table 1 outlines the rate of report completion and compliance from 2017 to 2020. Reports are considered complete if the scheduled work was completed, and a report was submitted and stored for future retrieval. Report compliance is measured directly against the requirements set forth by the Ontario Fire Code, National Fire Protection Association and Underwriters Laboratories of Canada. Higher compliance directly relates to increased safety of building occupants, in addition to meeting the legal requirements of these codes.

**Table 1 - Fire & Life Safety Yearly Compliance**

<b>Compliance Measure Year</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Report completion	48%	67%	81%	83%
Report compliance	27%	36%	56%	68%

C.R.E.M. continues to see an improvement in inspection report completion and compliance. The improvements in report compliance is attributed to the transition towards centralized services and the increase in quality assurance reviews.

In 2020, two non-compliant vendors were identified and terminated, resulting in a total of five non-compliant vendors terminated since 2018. While the process of terminating the two vendors in 2020 had a negative impact on both report completion and compliance in over 300 buildings, terminating these vendors has ultimately improved building safety throughout the City.

The slower increase in completion rates in 2020 has been attributed to many sites being inaccessible during the 2020 COVID-19 pandemic. As the impact of COVID-19 was temporary and not expected to extend into 2021, it is anticipated that report completion and compliance rates will increase in the coming years. Additionally, 2021 saw the onboarding of the internal fire and life safety team, and the formal launch of the hybrid inspection, testing and maintenance program with six new reputable fire and life safety vendors.

## **The Fire and Life Safety Program Office**

### *2020 Achievements*

In 2020, C.R.E.M. established the Fire and Life Safety Program Office. Throughout 2020, the Fire and Life Safety Program Office laid the foundation for a strong fire and life safety governance model. This includes completing the Master Fire Program, which presents the overall strategy for fire and life safety in City buildings. This was followed by launching the hybrid model of inspection, testing and maintenance for both internal staff and external service providers, as outlined in item [GL8.8](#).

The Program Office has also awarded the new Fire and Life Safety Request for Proposals (R.F.P.) to six new vendors. The specification laid out within the new R.F.P. rectifies compliance issues in previous vendor contracts, and ensures that vendors adhere to the Ontario Fire Code. The new R.F.P. standardized the activities of all vendors City-wide under one scope of work, which will be centrally monitored and subject to quality assurance oversight.

### *The Fire and Life Safety Program Office Team*

To carry out this work, the Fire and Life Safety Program Office hired seventeen specialized Fire Technicians to ensure that the requirements of the Ontario Fire Code are met. These Technicians play a pivotal role in standardizing the monthly City-wide inspections of all fire and life safety equipment, an important area of work that has been prioritized by the Auditor General.

Contract Management experts and Quality Assurance & Risk Management Assessors have also been added to the Program Office to verify all inspection reports submitted are reviewed and in compliance with the Ontario Fire Code. All vendor reports are validated against site audits to verify the content of the inspection reports, and to ensure compliance with the Ontario Fire Code. As outlined in [GL8.8](#), all new vendors have been integrated into the Building Reports Canada system and are submitting standardized reports which electronically tag each device being inspected.

The City-wide Fire and Life Safety Training and Development team has focused on delivering fire safety training throughout City properties. For instance, significant time was invested to train and support the rapidly expanding shelter system. This has included working in partnership with Shelter, Support and Housing Administration and Toronto Fire Services to ensure that both directly operated and purchased service shelters meet the requirements of the Ontario Fire Code.

### **Impact of the COVID-19 Pandemic**

The COVID-19 pandemic has continued to delay some aspects of the Fire and Life Safety Program Office's implementation, such as the recruitment and sustainment of staff. In 2021, the Fire and Life Safety Program Office was able to recruit 39 positions and has fulfilled 87 per cent of its total staffing needs. Due to the required specific skillset of the Fire Technicians, some positions have remained vacant until qualified candidates can be found. A second round of recruitment will be completed in December

2021, and is expected to fill all remaining vacancies. Full implementation of the Fire and Life Safety Program Office is anticipated to be complete by the end 2021. Table 2 provides further information about key implementation milestones.

**Table 2 - Fire and Life Safety Program Office Implementation Status**

<b>Year</b>	<b>Objective</b>	<b>Status</b>
2020	<ul style="list-style-type: none"> <li>· Obtain approval for the Master Fire Program from City Manager</li> <li>· Recruit the Fire and Life Safety Management Team</li> <li>· Centralize the management of all major Fire and Life Safety contracts</li> <li>· Initiate the monthly maintenance program leveraging internal staff</li> </ul>	Complete
2021	<ul style="list-style-type: none"> <li>· Commencement of real-time compliance reporting on fire and life safety systems</li> <li>· Review Capital Budget requirements and adjust the Capital Budget submission as needed</li> <li>· Review of the Master Fire Program and training program documents to incorporate lessons learned</li> <li>· Review the performance of the City's inspections, testing, and maintenance vendors after a full year of service</li> </ul>	Complete
	<ul style="list-style-type: none"> <li>· Integrate compliance data with Open Data Toronto</li> <li>· Achieve at least 95 per cent compliance with the Ontario Fire Code (to be reported in 2022)</li> <li>· Initiate inspections on a risk-based schedule</li> <li>· Complete recruitment efforts to fill all remaining positions</li> </ul>	In progress; delayed due to COVID
2022 and beyond	<ul style="list-style-type: none"> <li>· Maintain at least 95 per cent compliance with the Ontario Fire Code</li> </ul>	In progress; delayed due to COVID
	<ul style="list-style-type: none"> <li>· Transition to steady-state operations</li> </ul>	

**Research on Regulating the Fire and Life Safety Industry in the City**

In 2020, C.R.E.M. advised it would report back to General Government and Licensing Committee in 2021 in response to the lack of legislated qualifications and requirements needed for personnel conducting fire and life safety inspection, testing and maintenance. The Fire and Life Safety Program Office has researched options to regulate this industry within Toronto, the details of which are provided below.

The fire and life safety inspection, testing and maintenance (I.T.M.) industry is unregulated and the Ontario Fire Code is silent on qualifications for personnel who conduct I.T.M., with the exception of those conducting annual tests and inspections, or for personnel who conduct repairs or alterations to a fire alarm system.

The Canadian Fire Alarm Association and the Electrical Contractors Association of Ontario registers qualifications for fire alarm technicians, but are not licensing bodies. The Ontario College of Trades identifies a mandatory trade qualification, Sprinkler and Fire Protection Installer (427A), but it is not a legislated requirement within the Ontario Fire Code.

To explore how to address this issue, the Fire and Life Safety Program Office and Toronto Fire Services created an inter-agency working group with membership comprised of:

- Toronto Fire Services
- The Canadian Fire Alarm Association
- The Canadian Automatic Sprinkler Association
- Industry Stakeholders

The working group identified legislative gaps related to qualifications in the Ontario Fire Code and made fifteen formal submissions for changes to the Ontario Fire Code to the Ontario Fire Marshal's Fire Code Change Requests portal. Seven proposed changes were directly related to the qualifications of personnel conducting fire and life safety inspection, testing and maintenance, while the remaining eight addressed technical changes identified by the working group members. This submission is currently being reviewed and considered by the Ontario Fire Marshal.

The decision to partner with the Ontario Fire Marshal and submit changes to the Ontario Fire Code will enable a level playing field for all fire and life safety service companies without causing disparity between those qualified to work in Toronto and all other areas of the province.

## **CONTACT**

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## **SIGNATURE**

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