



**STAFF REPORT
ACTION REQUIRED
Confidential Attachment**

Award of Request for Proposal No. RFP 0613-13-0044 to Angus Inc. for the renovation, finance and operation of a Food & Beverage Concession within Sherbourne Common Pavilion

Date:	October 28, 2013
To:	Government Management Committee
From:	General Manager, Parks, Forestry and Recreation Division Director, Purchasing and Materials Management Division
Wards:	Ward 28 Toronto Centre-Rosedale
Reason for Confidential Information	This report contains advice or communications that are subject to solicitor-client privilege
Reference Number:	P:\2013\Cluster A\PFR\GM26-111813-AFS#18360

SUMMARY

The purpose of this report is to provide information on the results of the Request for Proposal (RFP) No. 0613-13-0044 for the renovation, finance and operation of a food and beverage concession within Sherbourne Common Pavilion and to request authority to negotiate and enter into a Licence Agreement with the recommended proponent, Angus Inc. (referred to in this report as "Hero Certified Burgers"), being the sole proponent, for a ten (10) year term commencing January 1, 2014 to December 31, 2023, with the option to extend for an additional five (5) years commencing January 1, 2024 and terminating on December 31, 2028.

RECOMMENDATIONS

The General Manager of Parks, Forestry and Recreation and the Director of Purchasing and Materials Management recommend that:

1. City Council grant authority to negotiate and enter into a Licence Agreement with Angus Inc., being the sole proponent meeting the requirements of RFP No. 0613-13-0044, for the renovation, finance and operation of a food and beverage concession within Sherbourne Common Pavilion for a ten (10) year term commencing January 1, 2014 to December 31, 2023, with an option to extend at the sole discretion of the General Manager of Parks, Forestry and Recreation (the "General Manager") for an additional five (5) years commencing January 1st, 2024 and terminating on December 31, 2028.
2. City Council authorize the public release of the confidential information contained in the Confidential Attachment 1 of this report following execution of the licence agreement to Angus Inc.

FINANCIAL IMPACT

The relevant financial information is addressed in the Confidential Attachment.

The Deputy City Manager/Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

In December 2005, City Council endorsed the East Bayfront Precinct Plan. The Precinct Plan established Sherbourne Common as a new waterfront park midway between Jarvis and Parliament Slips.

In July 2008 the "Dockside" subdivision draft approval established Block 6 as new parkland. The design for the Block 6 park, referred to as Sherbourne Common, follows the principles established in the East Bayfront Precinct Plan.

Funds were allocated in Waterfront Toronto's Long Term Funding Plan to design and construct Sherbourne Common, of which the park pavilion was a component. All three orders of government contributed to this project.

ISSUE BACKGROUND

Sherbourne Common is a stunning waterfront park that has transformed a former industrial area into much needed public greenspace on the lake. It is also the first park in Canada to integrate a neighbourhood-wide stormwater treatment facility into its design. Located just east of Lower Sherbourne Street the 1.5 hectare park spans more than two city blocks from Lake Ontario on the south to Lake Shore Boulevard on the north. As part of the park development plan, Sherbourne Common Pavilion was completed in 2011 and was designed to incorporate a small retail concession.

The RFP sought proposals from qualified firms and individuals to renovate, finance, and operate a small retail concession within the Pavilion building.

COMMENTS

The Request for Proposal

RFP No. 0613-13-0044 was issued by Purchasing and Materials Management Division (PMMD) on August 16, 2013 and made available for download on the City's internet website. The closing date for the submission was September 13, 2013. One (1) firm downloaded the document from the PMMD website. Two (2) addenda were issued. An optional site meeting was conducted on August 23, 2013 to provide Proponents the opportunity to inspect the facility and ascertain the full extent of the scope of work. Representatives from two (2) firms attended the meeting.

Evaluation of Request for Proposal (RFP):

A formal Selection Committee comprised of four (4) members (three (3) from the Parks, Forestry and Recreation Division, one (1) from Corporate Finance) evaluated the technical proposal in compliance with the criteria set out in the RFP as follows:

- Initial Review: Mandatory Compliance
- Stage 1: Technical (Proposal Content)
- Stage 2: Financial Proposal

One (1) proposal was received:

1. Angus Inc.

The submission was evaluated by the Selection Committee in accordance with the pre-established criteria in the RFP. In compliance with the RFP, a list of mandatory requirements had to be met in order to advance to Stage 1 (Proposal Content). The proposal met the mandatory submission requirements.

In Stage 1 the Proponent was evaluated on their Technical Proposal (proposal content) and a minimum threshold score of 65% or 45.5 points had to be met in order to advance to Stage 2 (Financial Proposal) and be considered further. The Proposal met the threshold for both the Technical and Financial Proposal.

Staff Report with Confidential Attachment on Award of RFP 0613-13-0044 to Angus Inc. for the renovation, finance and operation of a Food & Beverage Concession within Sherbourne Common Pavilion

As a result of the evaluation staff is recommending that the City enter into an Licence Agreement with Angus Inc., being the sole successful Proponent, for a ten (10) year term commencing January 1, 2014 to December 31, 2023, with the option to extend for an additional five (5) years commencing January 1, 2024 and terminating on December 31, 2028.

The Proponent's scores by criteria, price comparison, and a staff analysis of the evaluation results can be provided in an in-camera presentation, if requested by Committee members.

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

CONTACT

Ann Ulusoy, Director
Management Services
Parks, Forestry and Recreation Division
Phone: (416) 392-8190
Email: aulusoy@toronto.ca

Elena Caruso, Manager
Purchasing and Materials
Management Division
Phone: (416) 392-7316
Email: ecaruso@toronto.ca

SIGNATURES

Jim Hart
General Manager
Parks, Forestry & Recreation Division

Michael Pacholok
Director
Purchasing and Materials Management
Division

ATTACHMENTS

Confidential Attachment 1:
Contract Award - RFP 0613-13-0044 for Renovation, Finance, and Operation of a Food & Beverage Concession within Sherbourne Common Pavilion

Staff Report with Confidential Attachment on Award of RFP 0613-13-0044 to Angus Inc. for the renovation, finance and operation of a Food & Beverage Concession within Sherbourne Common Pavilion