Contract with the Royal Lifesaving Society for the provision of the Aquatic Lifesaving Program Affiliation, licensing Fees, Candidate Exam, Certification Fees and Course Materials

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<th>Date:</th>
<th>July 21, 2014</th>
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<tr>
<td>To:</td>
<td>Government Management Committee</td>
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<tr>
<td>From:</td>
<td>Acting General Manager, Parks, Forestry and Recreation Acting Director, Purchasing and Materials Management Division</td>
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<td>Wards:</td>
<td>All</td>
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<td>Reference Number:</td>
<td>P:\2014\Cluster A\PFR\GM32-081114-AFS#20058</td>
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**SUMMARY**

This report requests that City Council grant authority for the issuance of a proprietary sole source contract with the Royal Lifesaving Society (the Society) for the continued supply of Aquatic Lifesaving Program Affiliation and Licensing Fees, Candidate Exam and Certification Fees and the Supply of Course Materials for a 14 month period effective November 1, 2014 through December 31, 2015 and for the amount of $1,200,869.25 net of all applicable taxes and charges ($1,222,004.55 Net of HST recoveries).

City Council approval is required in accordance with Municipal Code Chapter 195-1 Purchasing, and Chapter 71-11 Financial Control where the cumulative five year commitment and $500,000.00 threshold exceeds under staff authority. The current sole source contract with the Society approved under GM24.16 expires on October 31, 2014. A new contract for these fees and materials is required for continued aquatic life saving program delivery by Parks, Forestry and Recreation for the remainder of 2014 and 2015 for which the Society has the proprietary rights.
RECOMMENDATIONS

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

1. City Council grant authority for the issuance of a sole source contract with the Royal Lifesaving Society for Aquatic Lifesaving Program Affiliation and Licensing Fees, Candidate Exam and Certification Fees and the Supply of Course Materials in the estimated total, not to exceed the amount of $1,200,869.25 net of applicable taxes and charges ($1,222,004.55 Net of HST Recoveries) for a 14 month period, effective November 1, 2014 through December 31, 2015.

Financial Impact

The potential contract award identified in this report is $1,200,869.25 net of applicable taxes and charges, ($1,222,004.55 net of HST Recoveries), effective November 1, 2014 through December 31, 2015. Funding in the amount of $174,572.08 is included in the 2014 Approved Operating Budget for Parks, Forestry and Recreation. Funding in the amount of $1,047,432.47 will be included in the 2015 Operating Budget Submission for Parks, Forestry and Recreation. Small increases are projected in 2015 representing an estimated annual increase of 2% in exam/certification fees and materials costs as advised by the Royal Life Saving Society. These increases will be absorbed within the Parks, Forestry and Recreation future years’ operating budgets and partially offset by the anticipated increases in recreation program registration fees.

Annual funding details, net of taxes and HST recoveries are provided in the table below:

<table>
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<tr>
<th>Account</th>
<th>2014</th>
<th>2015</th>
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<td></td>
<td>Nov 1 to Dec 31</td>
<td>(Net of HST Recoveries)</td>
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<tr>
<td>Cost Elements 2013 &amp; 4199 within CR-AQ</td>
<td>$174,572.08</td>
<td>$1,047,432.47</td>
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<tr>
<td>Total</td>
<td>$1,222,004.55</td>
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The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.
DEcision History

Aquatic lifesaving program affiliation and licensing fees, candidate exam and certification fees and course materials are a critical part of the Parks, Forestry and Recreation’s Aquatic Lifesaving Program, and there is no other supplier. City Council approved the award a five year sole source blanket contract in the amount of $3,461,809 net of taxes at its meeting on September 30 and October 1, 2009 GM24.16.

The following is the link to City Council Decision Document:

Issue Background

The Society is the sole supplier in the Province of Ontario for the Aquatic Lifesaving Program Affiliation and Licensing Fees, Candidate Exam and Certification Fees and the Supply of Course Materials (Fees, Exams and Material).

The current contract will expire on October 31, 2014; a new contract is being sought by the Parks, Forestry and Recreation to continue the program delivery for the remainder of 2014 and 2015.

The Society's programs offered by Parks, Forestry and Recreation include pre-lifesaving and lifesaving levels such as Bronze Star, Bronze Medallion and Bronze Cross, as well as Aquatic Leadership programs including National Lifeguard (formerly known as NLS), Swim Instructor and Wading Pool Attendant certificates. This system of program delivery ultimately provides qualified staff supervising City and local aquatic programs, as required by the Provincial Health Protection and Promotion Act, Regulation # 565.

Comments

Parks Forestry and Recreation offers a full menu of aquatic lifesaving programs, including Bronze Medallion, Bronze Cross, Lifesaving Instructor, National Lifeguard Service, as well as lead-up programs such as Rookie, Ranger, Star Patrol and Junior Lifeguard. These programs are offered to the public across Toronto at 122 CLASS A swimming pools. These pools and programs are supervised by City staff who are certified by the Society.

The Society began developing aquatic lifesaving programs in 1908. Toronto and municipalities across Ontario have been training its residents in the Society’s lifesaving and life guarding programs for over 100 years.

The Parks, Forestry and Recreation Division relies on the Society for the supply of aquatic lifesaving programs and materials. These programs are advertised to the public through the Fun Guide, as well as the Aquatic Leadership brochure. The Society is the
only certifying agency for aquatic staff working in public pools and waterfronts in Ontario.

Parks, Forestry and Recreation purchases course materials and pays candidate fees for only those program participants who have registered in the aquatic programs and paid registration fees. Course materials and candidate fees are recovered in the revenue generated through aquatic lifesaving program registration. The Division cannot be overcharged by the Society for more exam and certification fees than those participating in its programs, as these invoices are created from participant test sheets completed by the Division.

In addition to the lifesaving programs, licensing fees and course material outlined above, the Society provides Leadership Management Services (Course Instruction) and currently has a separate contract blanket 47015532 with the City to provide said services, as a result of a Request for Proposal, for the period ending December 31, 2015. The services provided within the Leadership Management Services contract are separate and distinct from the fees, exams and materials described within the proposed sole source contract.

The Division will be issuing a new Request for Proposal in 2015 for these materials and fees along with the leadership training combining the two contracts into one blanket contract moving forward.

The Royal Lifesaving Society has provided written confirmation that they are the sole supplier of these Aquatic Lifesaving Programs and Materials in the Province of Ontario.

The Society’s materials, candidate fees, affiliation and license fees are posted on their web site. Parks, Forestry and Recreation staff has verified that these fees are consistent with the fees charged to the City of Toronto and other large municipal Recreation services providers in Ontario.

The Fair Wage Office has reported that the Society 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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Acting General Manager,                                       Acting Director,
Parks, Forestry and Recreation                              Purchasing and Materials Management