



REPORT FOR ACTION

Fire and Life Safety Compliance of City Buildings

Date: July 20, 2018

To: City Council

From: Deputy City Manager, Internal Corporate Services

Wards: All

SUMMARY

This report responds to a request from Audit Committee related to the Auditor General's report "Raising the Alarm: Fraud Investigation of a Vendor Providing Life Safety Inspection Services to the City of Toronto" which was presented at Audit Committee on Friday, July 13, 2018.

The purpose of this report is to inform on the status of City of Toronto buildings as it relates to Fire and Life Safety (FLS) as well as to report on next steps. This report will review actions that have been taken to date; provide an overview of the reported current state of FLS for City buildings; and summarize actions that will be taken going forward, including the creation of an FLS Task Force.

RECOMMENDATIONS

The Deputy City Manager, Internal Corporate Services recommends that:

City Council receive this report for information.

FINANCIAL IMPACT

There are no financial impacts associated with the adoption of this report.

Funding for the FLS Task Force and independent third party fire and life safety audits are included in the Approved Facilities, Real Estate, Environment & Energy 2018 Operating Budget and 2018-2027 Capital Plan.

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

DECISION HISTORY

At its meeting of July 13, 2018, Audit Committee adopted AU13.11 "Raising the Alarm: Fraud Investigation of a Vendor Providing Life Safety Inspection Services to the City of Toronto", and requested the Deputy City Manager, Internal Corporate Services, to report directly to City Council for its July 23, 2018 meeting with the inventory of the fire code compliance information of City buildings, and to report on the proposed order in which the audit of City buildings will be completed, i.e. by vendor and/or critical infrastructure.

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

COMMENTS

This report provides an overview of actions that have been planned or implemented to address FLS in City buildings, including a City-wide inventory of FLS documentation and the establishment of an Internal Corporate Services FLS Task Force. This FLS Task Force will coordinate a City-wide effort to validate FLS compliance across the City and implement a new FLS governance process to enhance coordination of FLS activities among City entities.

Background

The Auditor General led investigation into Fire Life Safety (FLS) identified issues with documentation relating to FLS systems, as well as issues relating to the actual testing conducted by third party vendors as required by the Ontario Fire Code. As a result of the investigation the Facilities Management division conducted a first stage review of its portfolio of buildings (separate from Toronto Fire Services investigations), starting with 19 high occupancy facilities that are also critical to the City's operations. These facilities were reviewed by a third-party vendor to determine whether required FLS documentation (logs and inspection reports) was available at these facilities. Facilities management has been working to update documentation to ensure it is in accordance with the Code since being notified during the audit, and to date, 90% of the required fire inspection documentation has been identified through the course of the review. All remaining missing documentation is currently in the process of being completed and it is expected to be in place by August 1, 2018. A third-party vendor will conduct a second stage review of this documentation and confirm it meets Ontario Fire Code requirements.

Facilities Management recognizes the need to significantly improve the division's management of fire and life safety in City-owned buildings. Facilities Management has worked with Toronto Fire Services on FM-specific education materials that have been delivered to all management staff and all staff with responsibilities in fire and life safety for City buildings.

Actions Taken to Date

The Deputy City Manager, Internal Corporate Services has reached out to City Divisions, Agencies, and Corporations with building management responsibility to gather an inventory of their buildings and the status of documentation required for FLS compliance.

In order to expedite FLS compliance across the City, including the identification of current state and addressing deficiencies, the Deputy City Manager, Internal Corporate Services has created a FLS Task Force dedicated to carry out the following:

- Creating a comprehensive inventory of FLS for all City buildings including agencies and corporations, with information detailed by building, third-party vendor, and building management responsibility
- Oversee an independent review of a sample of City buildings to verify FLS compliance
- Establishing a process for rectification of deficiencies to ensure compliance on an ongoing basis
- Establish a City-wide governance process to ensure accountability and responsibilities for FLS
- Establishing policies and best practices, including standardized reporting templates, tools, record keeping and education to help ensure compliance is maintained on an ongoing basis

Overview of the Current State of FLS for City Buildings

To date, the FLS Task Force has identified approximately 2,500 buildings managed by City, Agencies, or Corporations (excluding Toronto Community Housing Corporation). The Facilities Management Division has operational responsibility of approximately 10% of the overall City's portfolio. The remaining buildings are managed by 16 different entities, and not all will have FLS components.

The FLS Task Force requested information regarding FLS documentation from all City entities responsible for managing buildings and is currently engaged with these entities to verify their building inventory. Specifically, the FLS Task Force requested that City entities indicate for each building under their management 1) whether annual inspections were conducted and, if so, the vendor that performed the work, 2) whether inspection reports were located on site, and 3) whether Fire Safety Plans were updated and located on the premises, among other information. This information will form the basis of the City-wide building inventory to be used by the FLS Task Force in assessing FLS compliance. The FLS Task Force has received information about the FLS documentation for the majority of these buildings. These City entities have indicated that the majority have met the documentation requirements for FLS compliance. The information required for the remaining buildings will be reported back to the FLS Task Force by the relevant operating entity by August 1, 2018. The information reported by City Divisions, Agencies, and Corporations must be validated for accuracy and will be

further reviewed by the FLS Task Force and a representative sample will be verified through an independent review, which is outlined in the next section.

Actions to be Taken Going Forward

FLS Task Force

The FLS Task Force will independently assess the reported FLS compliance for all City buildings, confirm site compliance through a representative sample of secondary site inspections, and make process recommendations to ensure all City buildings will be brought into, and remain compliant. This FLS Task Force is being led by a senior staff member, acting as the Project Director and reporting directly to the Deputy City Manager, Internal Corporate Services. The Project Director will be supported by additional dedicated resources with skills in project management, process reviews and design and knowledge of fire inspections and code, as well as analytical support.

To support the operations of the FLS Task Force, a Fire and Life Safety Advisory Group will be formed. This group will be comprised of subject matter experts from across the City that will inform the process throughout and make recommendations for future compliance, including the establishment of a standard process based on best practices. This group will have membership from, but not limited to, Toronto Fire Services, Toronto Transit Commission, Toronto Water, Parks Forestry and Recreation, and Internal Audit.

The FLS Task Force will conduct a risk assessment that will include the following elements:

- Critical infrastructure to City operations
- Building occupancy
- FLS vendor
- Building management responsibility

This risk matrix will be utilized to assess and analyze buildings and develop a prioritized order for third-party review. This review will include verification of 1) whether required records of tests required under the Ontario Fire Code are present and 2) the actual conduct of the tests being performed, where the physical tests were not performed as required.

The FLS Task Force will work with the appropriate City Divisions, Agencies, and Corporations to develop action plans to address any deficiencies identified through this third-party review.

The Deputy City Manager, Internal Corporate Services will report back to City Council (via Government Management Committee) in Q1 2019 to provide a progress update on the work of the FLS Task Force.

CONTACT

Sunil Sharma, General Manager, Facilities Management, Tel: 416-397-5270; Email: Sunil.Sharma@toronto.ca

Dwaine S. Nichol, Director, Corporate Security, Tel: 416-397-7129, Email: Dwaine.Nichol@toronto.ca

SIGNATURE

Josie Scioli
Deputy City Manager, Internal Corporate Services