

**From:** [Forrest Parlee](#)  
**To:** [Lou Di Gironimo](#)  
**Cc:** [Elaine Hung](#); [Judy Farvolden](#); [Mark Maloney](#); [Alexander Irving](#)  
**Subject:** Meeting request - University of Toronto and UTTRI re Research Procurement  
**Attachments:** [Briefing Note - City of Toronto Bylaw re research procurement.pdf](#)

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Dear Mr. Di Gironimo,

I am writing to request a meeting with you to introduce myself in my new role at the University of Toronto and to discuss an opportunity for the City to better leverage the expertise of Toronto's postsecondary institutions through research partnerships.

Specifically, the City of Toronto's Transportation Services division has the benefit of a By-law under the Municipal Code that enables a simplified procurement pathway to collaborate with any postsecondary institution in Canada on research. As a result, the University of Toronto Transportation Research Institute (UTTRI) has been able to partner with Transportation Services on research such as an analysis of pedestrian and cyclist safety and the economic impact on merchants of the Bloor Street bike lane pilot project. This work was used to inform Council's decision to make the bike lanes permanent. Recently, the TTC has expressed interest in working with UTTRI on research projects such as ridership growth and integrated fare policies.

We would appreciate the opportunity to meet with you to discuss the possibility of applying this approach to all City divisions and agencies, boards, and commissions. This approach would ensure any part of the City's administrative structure has a streamlined approach to working with any postsecondary institution on research collaborations and support City staff in presenting thoroughly researched and evidence-based recommendations to City Council.

We believe this opportunity is in line with the spirit of the Memorandum of Understanding (MOU) we signed with the City last fall, identified several key areas of collaboration and confirms our shared interest in enhancing collaborations that contribute to the health, sustainability, economic strength, and livability of Toronto. Other post-secondary institutions in Toronto signed similar MOUs.

I have attached a Briefing Note drafted earlier this year on this issue from Dr. Judy Farvolden at UTTRI, who is copied on this email and would join us in a meeting. Dr. Farvolden can speak directly to this opportunity and to the positive engagements with your current and former colleagues at the City on this file, including Peter Wallace, Stephen Buckley, Barbara Gray, and representatives from Toronto Water.

Thank you for considering this request. I look forward to meeting you.

Sincerely,

Forrest Parlee

Director, Government Relations & Public Policy

University of Toronto

416-978-7311



## **BRIEFING NOTE:**

# **Background Re: Expanding By-law 541-2014 to Create Collaborative Research Opportunities with the City of Toronto**

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**By Dr. Judy Farvolden, Program Director, UTTRI**  
**judy.farvolden@utoronto.ca 416-978-3357**

On October, 2, 2017, the University of Toronto and the City of Toronto signed a **Memorandum of Understanding** to work together to identify opportunities to meet our shared goals, including making Toronto a better place to live, learn, work and prosper.

An MOU describes a mutual intention. A By-law enabling other City of Toronto divisions, agencies, boards and commissions (ABCs) to partner with Canadian post-secondary educational institutions would move this from intention to opportunities for action.

## **Toronto Municipal Code, Chapter 71, Financial Control**

Current procurement policies preclude “sole sourcing”, which makes it difficult or impossible for City of Toronto divisions, and also agencies, boards and commissions (ABCs) to participate in collaborative research projects. The City’s Water, and also Transportation Services, are enabled to undertake these projects through Items 21 and 23 respectively of the Toronto Municipal Code, Chapter 71, Financial Control.

(Toronto Water has a higher annual limit of \$500,000 and has expressed interest in seeing these limits harmonized across all City divisions.)

## **Section 21 as it applies to Toronto Water’s Research Initiatives / Projects**

Payments to post-secondary education institutions, other municipalities, government agencies and / or not for profit professional organizations in respect to the funding, participation or procurement of services related to research initiatives or projects which directly contribute to achieving the Goals and Objectives stated in Toronto Water's Business Plan, subject to the following criteria:

- A. The research initiative or project is of a scientific or technical nature utilizing specialized academic or professional expertise at competitive rates;
- B. Toronto Water's contribution to each research initiative prior project does not exceed a value of \$500,000.00 (exclusive of taxes) per year; and
- C. An agreement is entered into among all participants involved in the research initiative or project on terms and conditions satisfactory to the City Solicitor.

## **Section 23, as it applies to Toronto Transportation's Research Initiatives / Projects**

Payments associated with City funding and participating in research initiatives or projects related to road and sidewalk management, transportation safety and operations, as well as permits and applications with post-secondary educational institutions, governmental agencies and / or non-governmental professional organizations, including any procurement of services related thereto subject to meeting the following criteria:

- A. The research initiative or project directly contributes to achieving the mission of Transportation Services;
- B. The project participants are post-secondary educational institutions in Canada, other municipalities or governmental entities, and / or non-governmental professional organizations with a transportation-focused mission who can provide objective, qualified and professional expertise;
- C. The project is of a scientific or technical nature utilizing specialized academic or professional expertise at competitive rates and without a profit margin; Transportation Services' contribution to each research initiative or project does not exceed a value of \$100,000 (before taxes) per year; and
- D. An agreement be entered into among all participants in the research initiative or project on terms and conditions satisfactory to the City Solicitor.

## **The Contractual Terms**

The relevant text from the Transportation Service contract we use is below.

**WHEREAS** at its meeting on May 6, 7, and 8, 2014, City Council adopted the recommendations in the Staff Report from the General Manager, Transportation Services (dated March 24, 2014) and authorized the General Manager to enter into and execute agreements in respect to City funding and participating in research initiatives or projects related to road and sidewalk management, transportation safety and operations, as well as permits and applications with post-secondary educational institutions, including any procurement of services related thereto, being item PW30.6.

**WHEREAS** any such agreement must meet the following criteria:

- The research initiative or project directly contributes to achieving the mission of the City of Toronto's Transportation Services;
- The project participant is a post-secondary educational institution in Canada with a transportation focused mission which can provide objective, qualified and professional expertise;
- The project is of a scientific or technical nature utilizing specialized academic or professional expertise at competitive rates and without a profit margin;
- Transportation Services' contribution to each research initiative or project does not exceed a value of \$100,000.00 (before taxes) per year; and
- An agreement be entered into among all participants in the research initiative or project on terms and conditions satisfactory to the City Solicitor.

**WHEREAS** Schedule "A" of the City of Toronto Municipal Code Chapter 71, Financial Control, has been amended by By-law 541-2014, at section 23 ("Transportation Research Initiatives or Projects") to include, in part, payments to post-secondary educational institutions in accordance with the above criteria.

## **Research Opportunities enabled through by By-law 541-2014**

Steve Buckley, GM of Transportation Services, City of Toronto (from 2013-2016) had had the City of Toronto Municipal Code amended to enable the General Manager of Transportation Services “to enter into and execute agreements” in order “to engage in research initiatives or projects that contribute to achieving the mission of the City of Toronto, Transportation Services.” This has created numerous opportunities for academic collaboration.

### **Example of Opportunities created for the City with the U of T:**

This has created several opportunities for academic collaboration with U of T researchers:

- **iCity-ORF (from Q3 2015 to Q2 2019 -- now in progress):** Transportation Services supports our ORF-RE-07-funded project “iCity: Urban Informatics for Sustainable Metropolitan Growth” with \$50,000 cash annually over the four years of the project, data and significant in-kind support from subject matter experts.
- **Intelligent Transportation Networks (Completed in Q2 2016):** “Driving Changes: Automated Vehicles in Toronto” investigated the state of the art in automated vehicle technology and the industry trends in related policy, planning and investment options. This study equipped City decision makers with the latest knowledge pertaining to the onset of vehicle automation and was the basis for a series of workshops with City staff to explore the implications on City services in the advent of automated vehicles.
- **Using Drones to Manage Traffic around Road Closures (Completed in Q4 2017):** Prof. Hugh Liu at UTIAS and his drone pilot, flew a video-camera-equipped drone over the CIBC Run for the Cure and the Scotia Waterfront Marathon to monitor traffic caused by the closure of roads for planned events. Traffic signal timing changes were made based on traffic observed by the UAV to help alleviate congestion.
- **Spatial-Temporal Trends for Traffic (from Q1 2017 to Q2 2018 – now in progress):** Transportation Services is working with the University of Toronto to develop spatial-temporal trends for traffic on the entire road network of the City of Toronto, based on count data collected. Part of the Congestion Management and Road Safety Plans, the outcome of this project will provide the data needed to produce congestion metrics and improve traffic volume collection and monitoring.
- **iCity-CATTS (from Q2 2018 to Q2 2023 – pending):** Transportation Services submitted a Letter of Support for ORF-RE-09 proposal “iCity-CATTS: Centre for Automated and Transformative Transportation Technology” with \$100,000 cash annually for three years of the project and in excess of \$1 million of in-kind support in the form of data and support of subject matter experts.

### **Example of Opportunities created for the City with other Post-Secondary Institutions in Canada:**

The By-law has also created opportunities for academic collaboration with researchers at other post-secondary educational institutions in the Toronto region:

### ***Ryerson University***

- **Automated Vehicles in the Greater Toronto and Hamilton Area: Consumer Outlook and Policy Opportunities.**
- **Use of Before-After Methods with "Big Data" (from Q2 2016 to Q4 2017):** This project identifies and tests the potential use of before-after methods with "Big Data" to assess the links between policy and transportation system performance. The project will provide the City with feedback and methodologies to monitor and report city-wide road system performance using "Big Data". The project was awarded in Q2 2016 and expected to be completed by Q4 2017.
- **"Vision Zero" Challenge (now in development):** Achieving the City's "Vision Zero" through Big Data, Machine Learning, and Citizen Engagement.

### ***McMaster University (Completed in Q3 2015)***

- **Toronto Road System Performance – Stretching the State of Knowledge:** to study road transportation system performance on Toronto's freeways and arterials, investigate the causes of congestion, and to create "corridor report cards" to measure changes in performance in terms of speed, delay and reliability.

### ***University of Waterloo***

- **Continuous Video-Based Traffic Analysis and Safety Monitoring [in development].**

## **The Challenges with respect to future Research Opportunities NOT now covered by By-law 541-2014**

### **The Challenges at the City of Toronto's Fleet Services Division**

In January 2018 we finalized a research contract with the Lloyd Brierley, General Manager of Fleet Services, but we could NOT use the Transportation Services' contract. Instead, City lawyers proposed a contract used previously with U of T and Toronto Public Health, which has the form of a "service contract" rather than a "research contract". We were told by Research Services that U of T did not like this contract but decided to go ahead with it anyway, and so, a precedent was set. Alexander Quinn, Research Funding Manager, OPRI, flagged his concerns that the service contract included a waiver of moral rights clause and that U of T would not own the IP.

### **OWNERSHIP AND USE**

(1) From the date of termination or expiry of this Agreement or upon early termination of this Agreement pursuant to section 22 and settlement of accounts, or upon completion of the Service Provider's Services under this Agreement, **any material produced by the Service Provider in carrying out the Services under this Agreement ("the Material") shall vest in and remain the property of the City, including copyright with respect to such Material.** Where the intellectual property developed in carrying out the Services vests in a third party, the Service Provider shall obtain all necessary authorizations including assignments, licences and waivers to ensure that copyright is granted to the City.

**The Service Provider waives in whole and in part any and all moral rights arising under the Copyright Act in the Material as against the City and anyone claiming rights of any such nature from or through the City.** Further, the Service Provider represents and warrants that its employees, officials, subcontractors and agents have waived or shall waive in whole and in part any and all moral rights arising under the Copyright Act in the Material as against all parties including the Service Provider and the City and anyone claiming rights of any such nature from or through the City.

The City hereby grants to the Service Provider a non-exclusive perpetual, irrevocable, paid-up, royalty free license geographically limited to Canada to use the Material only for the following purposes:

- a) to write, publish and distribute articles dealing with the Services;
- b) to promote itself as the creator of the design of the Material;
- c) the right to retain a copy of all Material for archival purposes in order to comply with the rules of any professional regulatory association with which the Service Provider must comply.

## **The Challenges with respect to the Toronto Transit Commission (TTC)**

At a January 2018 meeting, TTC leadership (i.e. the CIO of IT Services, and the Chief Service Officer) expressed interest in supporting collaborative university research projects, however current procurement policies preclude “sole sourcing”. We explained that Transportation Services was enabled by a By-law to undertake such projects. They expressed interest and encouraged us to include ABCs in future.

## **The Next Steps**

### **The Steps**

- Inform partners in the sector of the U of T’s intention to ask for an expansion of the By-law.
- Follow up with a letter to City Manager Peter Wallace, asking him to assign it to a member of his staff and that staff come back with a DRAFT report for his consideration, so that a report on the above elements can go to the Executive Committee before the end of Q2 2018.
- Work diligently with staff to assist in the preparation of the final DRAFT report.
- Meet as soon as possible with all key appropriate staff, including: UTTRI, City of Toronto Transportation Services; City Manager's Office; City Procurement; City Legal; Toronto Transportation Commission; City Fleet Services, etc.

### **The Timeline**

A report on this matter from the City Manager must be routed through the Executive Committee of Council, then forwarded to the full City Council for final approval. To be operational in 2018 a new By-law would need to be approved by final 2018 Council meeting (in late July 2018). There is no full regular Council meetings after July 2018 and until February 2019.

There are only five Executive Committee left this year:

- March 19, 2018
- April 17, 2018

- May 14, 2018
- June 19, 2018
- July 17, 2018.





January 22, 2020

Mayor John Tory and  
Members of the Executive Committee  
Toronto City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2  
By email: [exc@toronto.ca](mailto:exc@toronto.ca)

**Re: Executive Committee Agenda Item # EX 12.5**

Dear Mayor Tory and Members of the Executive Committee:

As you consider Agenda Item # EX 12.5 "Advancing a New Culture of Innovation and Partnership", I wanted to flag an item that is touched on briefly in the report and that the University of Toronto has been proposing since 2018. It is related to simplified research procurement that will benefit the City.

As per the attached correspondence from May 2018 to the then Acting Deputy City Manager, the University has been advocating for a simplified procurement procedure for all City departments to better leverage post-secondary research that contributes to evidence-based policy development. It would apply to all post-secondary institutions.

Specifically, we propose extending the City's existing Council-approved By-law # 541-2014 to all City departments. This change would enable all departments to have the same simplified procurement process for academic research as is currently enjoyed by Toronto Water and the Transportation Services Department.

This extension would set the sole source procurement threshold for academic research that directly contributes to the goals of the City at a maximum of \$500,000 City-wide. It would also provide all City departments and major agencies such as the TTC easier access to expert advice from our post-secondary institutions to support evidence-based policy, planning, transit, and environmental decisions.

Since By-law #541-2014 was first proposed and brought forward in 2014, it has been a great success and of major benefit to the City.

We understand from City staff that this research procurement item will be coming back as part of a broader City procurement report. In the meantime, we are writing to flag that this item continues to be an important proposal to enable stronger collaboration between the City and the post-secondary community, and we would welcome confirmation of a specific timeline for implementation and an expression of support from Councillors.

Sincerely,

A handwritten signature in dark ink, appearing to read "Forrest Parlee". The signature is fluid and cursive, with the first name "Forrest" being more prominent than the last name "Parlee".

Forrest Parlee  
Director, Government Relations  
University of Toronto