

Getting to the Root of the Issues – 30 Day Action Plan Update

Date: March 30, 2021

To: City Council

From: General Manager, Parks, Forestry and Recreation

Wards: All

SUMMARY

On February 9, 2021, the Auditor General released a report entitled "Getting to the Root of the Issues: A Follow-Up to the 2019 Tree Maintenance Services Audit", which was tabled at the Audit Committee meeting on February 16, 2021. This report was in response to City Council's request that the Auditor General report further to the Audit Committee on Parks, Forestry and Recreation Division's (PFR) review of work performed by tree maintenance vendors.

The Auditor General's report provided 18 recommendations for the consideration of City Council, that are aimed to strengthen PFR's oversight, monitoring and contract management related to tree maintenance services to ensure value for money for the City. In addition, the Audit Committee made 12 recommendations to City Council for consideration and provided three directions to PFR, in response to the Auditor General's report, which included the request for the General Manager, Parks, Forestry and Recreation to provide an update on the progress made with respect to the 30-day actions and report directly to the April 7 and 8, 2021 meeting of City Council.

PFR agrees with the assessment and recommendations of the "Getting to the Root of the Issues: A Follow-Up to the 2019 Tree Maintenance Services Audit" report and has established a 30/60/90 Day Plan of Action to advance short and medium term deliverables related to the report's recommendations, which focus on three key objectives:

- Improve tree maintenance crew oversight;
- Enhance contract management measures; and
- Improve productivity and operational efficiency.

PFR had the opportunity to respond to the Auditor General's recommendations at the February 16, 2021 Audit Committee meeting through the delivery of a presentation which focused on this 90-day work program and outlined the 13 actions PFR will take.

The purpose of this report is to respond to the Audit Committee's direction on February 16, 2021, that PFR report directly to the April 7 and 8, 2021 meeting of City Council with a progress update on the 30-day Action Plan.

PFR was further directed to prepare additional reports, and will be subsequently reporting back on the following topics on the following dates:

- Update on the progress made with respect to the 60-day actions to May 5/6, 2021 City Council;
- Update on the progress made with respect to the 90-day actions to May 31, 2021 Audit Committee; and
- Improved system to deal with parked cars that impede tree maintenance crews to May 31, 2021 Audit Committee.

RECOMMENDATIONS

The General Manager, Parks, Forestry and Recreation recommends that:

1. City Council receive this report for information.

FINANCIAL IMPACT

There are no financial impacts as a result of the recommendation in this report.

The financial impacts of the 30/60/90 Day Action Plans will be monitored. Any costs associated with implementing PFR's Action Plan will be accommodated within the 2021 Operating Budget for Parks, Forestry and Recreation.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the Financial Impact section.

DECISION HISTORY

At the February 16, 2021 Audit Committee meeting, the Auditor General tabled the report "Getting to the Root of the Issues: A Follow-Up to the 2019 Tree Maintenance Services Audit"

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.AU8.6>

On July 9 2020, the City Solicitor and General Manager, Parks, Forestry and Recreation reported to the Infrastructure and Environment Committee on PFR's review of work performed by tree maintenance vendors and provided related legal advice. A supplementary report was presented when the matter was considered by City Council on July 29, 2020.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.IE14.8>

On October 25, 2019, the Audit Committee considered an information report from the General Manager, Parks, Forestry and Recreation outlining the division's progress in responding to the May 2019 Council direction.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.AU4.14>

On May 14 and 15, 2019 City Council considered the Auditor General's audit, "Review of Urban Forestry - Ensuring Value for Money for Tree Maintenance Services", focused on tree planting and maintenance services.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.AU2.4>

COMMENTS

In response to and concurrent with the Auditor General's report, PFR has developed a 30/60/90 Day Plan of Action. PFR will report back to Audit Committee and City Council on progress made with respect to the 13 actions over three reports - 30, 60 and 90 day increments.

The 30-day action plan, the focus of this report, is comprised of the following actions:

Action # 1: Conduct physical observation (surveillance) of all tree maintenance crews for an indefinite period of time and incorporate findings in review to determine compliance.

Action #2: Issue and enforce direction to vendors concerning expectations for conduct while working for the City of Toronto, including the verification that vendors fulfill their responsibilities for health and safety compliance.

Action #3: Investigate tree maintenance staff (vendor and City) in the 2021 Audit examples and undertake immediate and appropriate action.

Action #4: Increase the number and scope of reviews, which now includes using daily logs, GPS records, photo documentation and surveillance data.

Action #5: Implement a centralized call log and photo documentation for parked cars in real time to ensure evidence is provided concerning downtime at the work site. Crews will be expected to identify additional work that can be completed while waiting. Work with MLS and Toronto Police Service on additional actions to expedite the process.

Action #6: Provide immediate written notice that the City (PFR) will no longer pay for breaks, to ensure that payment for services is consistent with the express terms of the contract.

Action #7: Put tree maintenance vendors on notice of improvements in performance necessary for contract compliance including increased supervision by the vendors of their staff, and actions the City (PFR) will take if vendors fail to improve performance.

Action #8: Move final approval of invoices and contract compliance out of the Urban Forestry Branch and into PFR's Management Services Branch which provides an additional assurance of oversight.

PFR has established and initiated a project framework approach for the implementation of this action plan with overall oversight being led by the Project Director of Business Transformation in the General Manager's office. In addition, PFR has made a number of organizational refinements to improve the oversight of the operational and contract management aspects of tree maintenance, including but not limited to, the appointment of an interim Director of Forestry Operations. This role has been created to provide dedicated oversight on Forestry Operations, which includes contract management and compliance with existing and future tree maintenance vendors, the implementation of the Auditor General's current and future recommendations, as well as the achievement of PFR's 30-60-90 Day Plan of Action.

PFR has achieved the following progress over the first 30 days of its action plan:

PFR 30-Day Actions	Status Update
<p>Action 1. Conduct physical observations of all tree maintenance crews for an indefinite period of time and incorporate findings in review to determine compliance</p> <p>Objective: Improve tree maintenance crew oversight</p>	<p>As part of the City of Toronto's role of crew oversight, which currently includes, but is not limited to, unannounced on-site inspections and quality control reviews, the use of physical observations of tree maintenance crews has begun.</p> <p>PFR has established a contract with a third-party service provider, for the purpose of conducting physical observations of tree maintenance crews, effective April 2021.</p> <p>Process Improvements</p> <p>The addition of physical observations as part of crew oversight will confirm if tree maintenance crews are completing work in accordance with documented daily logs and daily GPS records.</p>

<p>Action 2. Issue and enforce direction to vendors concerning expectations for conduct while working for the City of Toronto, including the verification that vendors fulfill their responsibilities for health and safety compliance</p> <p>Objective: Enhance contract management measures</p>	<p>February 9, 2021: Emergency meetings between Urban Forestry (UF) management staff and the three tree maintenance vendors were held to review the findings of the Auditor General's report and to state the City's expectations of conduct and contract compliance for vendors working for the City.</p> <p>March 22, 2021: The General Manager, PFR issued a Letter of Expectation to each tree maintenance vendor, as follow-up, to advise that, in accordance with contract provisions, vendors will be held accountable for compliance with all applicable health and safety regulations and provisions.</p> <p>Process Improvements</p> <p>The communication provided to the tree maintenance vendors has enforced the direction of their contractual requirement to comply with all health and safety regulations and provisions.</p> <p>PFR is working with vendors to obtain and review their health and safety records, to ensure contract compliance and take follow-up action, as necessary.</p>
<p>Action 3. Investigate tree maintenance staff (vendor and City) in the 2021 Audit examples and undertake immediate and appropriate action</p> <p>Objective: Improve productivity and operational efficiency</p>	<p>PFR is monitoring the performance and productivity of crews identified by the Auditor General, along with other crew-related complaints, and will take further follow-up action as necessary.</p> <p>Process improvements</p> <p>Increased on-site inspections and quality control reviews of tree maintenance crews has informed follow-up action, where necessary.</p>

<p>Action 4. Increase the number and scope of reviews, which now includes using daily logs, GPS records, photo documentation and discrete observation data.</p> <p>Objective(s): Improve tree maintenance crew oversight; and Improve productivity and operational efficiency</p>	<p>Improvements to both the quantity and quality of reviews, that PFR conducts, have been made. Nine additional Forestry Forepersons have been recruited to increase crew oversight related to forestry performance inspection reports and daily log reviews, which consist of using detailed GPS reports, photo documentation, as well as through unannounced on-site inspections. All Forestry Forepersons have completed updated training to ensure the quality and consistency of their work, and the new staff have begun mentorship in the field and are being evaluated through the term of their placement in this role.</p> <p>Process Improvements</p> <p>This enhanced oversight model has increased the number of daily log reviews to an average of 100 daily logs over a two week period, including at least one from every vendor and City crew, which is approximately a 200% increase when compared to the volume reviewed prior to the release of the Auditor General's report in February 2021. Requirements for on-site inspections are clear and consistent to ensure quality oversight of crews.</p>
<p>Action 5. Implement a centralized call log and photo documentation for parked cars in real time to ensure evidence is provided concerning downtime at the work site. Crews will be expected to identify additional work that can be completed while waiting. Work with MLS and Toronto Police Service on additional actions to expedite the process</p> <p>Objective: Improve productivity and operational efficiency; and Improve tree maintenance crew oversight</p>	<p>PFR has implemented an integrative approach to provide improvements related to the issues of parked cars, including the provision of evidence, the efficiency in moving parked cars and to address crew productivity related to downtime.</p> <p>PFR has launched a centralized call log to document all instances where work cannot be completed due to the presence of legally parked vehicles. Tree maintenance crews are now required to submit photo evidence of the vehicles in question.</p> <p>Social media and on-site signage are being utilized to inform residents of scheduled tree maintenance and the no parking requirements. Further, PFR is working with Toronto Police Service to enhance its service procedures related to parked cars, including a 24 hour advance notice for officers to be on-site at the time of tree work starting, to improve efficiencies in clearing parked cars.</p> <p>To address productivity, tree maintenance crews have been given enhanced procedures to follow, when dealing</p>

	<p>with parked cars and access issues, which include seeking direction from Forestry Forepersons to move on to other or alternate work, when appropriate and working with Parking Enforcement, where friendly tows are required.</p> <p>A separate report related to systematic improvements to deal with parked cars that impede tree maintenance crews will be brought to the May 2021 Audit Committee meeting, as requested by the Committee in February.</p> <p>Process improvements</p> <p>Evidence is now being provided by tree maintenance crews that encounter parked vehicles interfering with the completion of work. Urban Forestry is continuing to monitor improvements and efficiencies related to minimizing downtime and field staff are using the newly updated Towing Procedure Guidelines to inform decision-making related to improving productivity.</p>
<p>Action 6. Provide immediate written notice that the City will no longer pay for breaks, to ensure that payment for services is consistent with the express terms of the contract</p> <p>Objective: Enhance contract management measures</p>	<p>February 15, 2021: A letter was issued to the three tree maintenance vendors from the General Manager, PFR to advise that the City has terminated the payment for two, 15 minute breaks in accordance to contract terms.</p> <p>Process improvements</p> <p>Vendor tree maintenance crews have been accurately documenting breaks on their daily logs based on a review of logs submitted in the past 30 days and the payment of breaks is the responsibility of the vendor.</p>
<p>Action 7. Put tree maintenance vendors on notice of improvements in performance necessary for contract compliance including increased supervision by the vendors of their staff, and actions City will take if vendors fail to improve performance</p> <p>Objective:</p>	<p>February 9, 2021: Emergency meetings between Urban Forestry management staff and the three tree maintenance vendors were held to review the findings of the Auditor General's report and to state the City's expectations of conduct and contract compliance for vendors working for the City.</p> <p>March 22, 2021: A Letter of Expectation was provided to each tree maintenance vendor from the General Manager, PFR advising that, in accordance with contract provisions, vendors will be held accountable for compliance with all applicable health and safety regulations and provisions, accurate documentation of the daily logs, including the reporting of all breaks and lunches, adherence to the</p>

<p>Enhance contract management measures; and Improve productivity and operational efficiency</p>	<p>updated Towing Guidelines procedure, which includes providing photo evidence of parked vehicles obstructing work and clear direction to ensure the full crew complement begins and ends their shift at their assigned yard per the contract terms.</p> <p>Process Improvements</p> <p>A review of daily logs from the past 30 days is underway to confirm an improvement in the accuracy of daily log documentation, a reduction in the amount of time crews are spending at the Forestry yards and the receipt of photo documentation where parked vehicles were obstructing tree maintenance work.</p>
<p>Action 8. Move final approval of invoices and contract compliance out of the Urban Forestry Branch and into PFR's Management Services Branch which provides an additional assurance of oversight</p> <p>Objective: Enhance contract management measures; and Improve productivity and operational efficiency</p>	<p>To ensure additional contract and payment oversight, a framework to transition Management Services, an internal oversight and quality assurance section within PFR, into this role has been created. Required staffing and resources to support invoice verification and oversight is underway.</p> <p>Process improvements</p> <p>This new assurance of oversight on invoice verification will provide the required additional contract compliance.</p>

Parks, Forestry and Recreation agrees with the Auditor General's recommendations from the 2021 audit on tree maintenance services and will continue to strengthen its performance and transformation to ensure continuous improvement of its staff, contract management, customer service and operational efficiency.

The actions taken in the 30-Day Plan of Action have provided an immediate improvement on tree maintenance crew oversight, enhanced contract management measures and operational productivity and efficiency. PFR will continue the implementation of its 90-day action plan, in an effort to respond to Auditor General's recommendations and to continue to enhance Urban Forestry's operation and productivity.

PFR is underway with action on its 60-Day Plan of Action, and will bring forward an update on the progress made to the May 5/6, 2021 City Council meeting.

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SIGNATURE

Janie Romoff

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ATTACHMENTS

Attachment 1: Presentation from the General Manager, Parks, Forestry and Recreation at the February 16, 2021 Audit Committee meeting.

<https://www.toronto.ca/legdocs/mmis/2021/au/bgrd/backgroundfile-164241.pdf>