

Amendment to Non Competitive Purchase Order Number 6050581 for the Shoring of the Existing Roof Structure of the Scarborough Gardens Arena

Date: March 9, 2021

To: General Government and Licensing Committee

From: General Manager, Parks Forestry and Recreation and Chief Procurement Officer, Purchasing and Materials Management Division

Wards: Ward 20 - Scarborough Southwest

SUMMARY

The purpose of this report is to request Council authority for the General Manager, Parks Forestry and Recreation to amend Purchase Order Number 6050581 issued to Northstar Scaffold Ontario Inc., as a result of Non-Competitive Procurement Request (NCPR) No. 10723 for the emergency provision of shoring and scaffolding services for the existing roof structure at Scarborough Gardens Arena. The total Purchase Order Amendment being requested is for an additional amount of \$936,905, net of all applicable taxes and charges (\$953,395 net of Harmonized Sales Tax recoveries HST), and to extend the delivery date from December 31, 2020 to June 30, 2022 .

This amendment is required to maintain the temporary shoring scaffolding system in-place at Scarborough Gardens Arena, pay for the monthly rental charges and to submit quarterly inspection reports until the replacement of the roof structure is implemented.

City Council approval is required in accordance with Municipal Code Chapter 195 - Purchasing, where the current request exceeds the Chief Purchasing Official's authority of the cumulative five-year commitment for each vendor, under Article 7, Section 195-7.3 (D) of the Purchasing By-Law or exceeds the threshold of \$500,000 net of HST allowed under staff authority as per the Toronto Municipal Code, Chapter 71 - Financial Control, Section 71-11A

RECOMMENDATIONS

The General Manager, Parks, Forestry and Recreation and Chief Procurement Officer recommend that:

1. The General Government and Licensing Committee, in accordance with Section 71-11.1.C of the City of Toronto Municipal Code Chapter 71 (Financial Control Bylaw), grant authority to amend Purchase Order Number 6050581, issued to Northstar Scaffolding Ontario Inc. for the provision of shoring services, to extend the delivery date from December 31, 2020 to June 30, 2022, and to add \$936,905 net of all applicable taxes and charges (\$953,395 net of HST recoveries), increasing the current value from \$807,563 net of all taxes and charges (\$821,776 net of HST recoveries) to \$1,744,468 net of all taxes and charges (\$1,775,171 net of HST recoveries).

FINANCIAL IMPACT

Funding for the requested Purchase Order Amendment amount of \$953,395, net of HST recoveries, is included in the Council Approved 2021-2030 Capital Budget and Plan for Parks, Forestry and Recreation, as summarised in Table 1.

Table 1: Financial Impact Summary

WBS Element	Description	Total (Net of HST Recoveries)
CPR121-48-01	CAMP (SGR) ARENA FY2018-2020	\$953,395

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

DECISION HISTORY

City Council, at its meeting on February 18, 2021, approved the Parks, Forestry and Recreation 2021 Capital Budget and future year cash flow commitments through item EX21.1 (191) which includes funding for the CAMP (SGR) Arena FY2018-2020 sub-project.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.EX21.2>

COMMENTS

Project Overview:

In February 2020, IRC Group, the City's engineering consultant, submitted an assessment report on the Scarborough Gardens Arena's long span timber roof structure identifying safety concerns, resulting in a closure of the facility. A non-competitive Purchase Order No. 6050581 was issued to Northstar Scaffold Ontario Inc. in May 2020 by the Purchasing and Materials Management Division, Non-Competitive Procurement

Request No. 10723, for the supply of all labour, equipment, materials, rental and supervision necessary to carry out the shoring of the existing long span timber roofing structure and to allow for further investigation and preparation of a Feasibility Study Report identifying remedial options and cost estimates. Based on the options in the report PF&R decided to proceed with roof structure replacement. As a result, a Request for Proposal has been issued to retain professional services for the design/implementation of new roof structure. The shoring scaffolding system must remain in place until a contractor is hired to replace the structure and roof assembly. Given the time required to tender and award the project, it is unknown how long the scaffolding will need to remain in place, however we are endeavouring to expedite the work as quickly as possible.

Funds are available and are included in the 2021-2030 Parks, Forestry and Recreation Capital budget and Plan for this work.

This was an emergency health and safety situation that became apparent during the assessment of the wood timber roof structure at Scarborough Gardens Arena and therefore it was not feasible to hold a competitive procurement process.

The original Purchase Order value was \$482,186, net of all applicable taxes and charges (\$490,672 net of HST recoveries).

The first purchase order amendment was approved September 29, 2020 for \$325,377, net of all applicable taxes and charges, (\$331,104 net of HST recoveries) to maintain the temporary shoring scaffolding system in-place, and to pay for the monthly rental charges required by the end of 2020.

The current amendment request, in the amount of \$936,905, net of all applicable taxes and charges (\$953,395 net of HST recoveries) is required to maintain the temporary shoring scaffolding system in-place at Scarborough Gardens Arena, pay for the monthly rental charges, and to submit quarterly inspection reports until the replacement of the roof structure is implemented. It will result in a total revised Purchase Order Value of \$1,744,468, net of all taxes and charges (\$1,775,171 net of HST recoveries). The expiry date of Purchase Order No. 6050581 is also requested to be extended from December 31, 2020 to June 30, 2022,

It is the opinion of City staff and the project consultant IRC Group that the costs submitted by Northstar Scaffolding Ontario Inc. for the requested amendment is fair and reasonable, is in keeping with the conditions of the contract, and will be assessed through random project audits.

The Fair Wage Office has reported that Northstar Scaffold Ontario Inc. has indicated that it has reviewed and understands the Fair Wage Policy and Labour Trades requirements and has agreed to comply fully.

CONTACT

Jacquie Breen, Manager, Corporate Purchasing Policy & Quality Assurance,
Purchasing and Materials Management Division

Tel: (416) 392-0387

Email: Jacquie.Breen@toronto.ca

Alex Mut, Acting Manager, Construction Management Capital Projects,
Parks, Forestry and Recreation

Tel: 416-392-8177,

Email: Alex.Mut@toronto.ca

SIGNATURE



Michael Pacholok
Chief Procurement Officer
Purchasing and Materials Management Division

Sandra Cuff
For Janie Romoff
General Manager
Parks, Forestry and Recreation