

## **Amendment to Purchase Order Number 6035314 with Public Work Office for Urban Design for Professional Landscape Architecture Services for the Design and Construction of Lower Garrison Creek Park (Formerly Mouth of the Creek Park) for Parks, Forestry and Recreation**

**Date:** October 13, 2023

**To:** General Government Committee

**From:** Acting General Manager, Parks Forestry and Recreation and Chief Procurement Officer

**Wards:** Spadina Fort York - 10

### **SUMMARY**

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The purpose of this report is to request authority to amend Purchase Order Number 6035314 issued to Public Work Office for Urban Design, as a result of Request for Proposal Document Number 9118-12-5009, for the provision of all professional and technical services for the design and construction of Lower Garrison Creek Park (formerly Mouth of the Creek Park).

This purchase order amendment is requested to address required work within the original scope resulting from a significant delay to the project schedule due to Union Station Corridor rail improvement work.

The total value of the Purchase Order Amendment being requested is \$288,060 excluding all applicable taxes and charges (\$293,129 net of Harmonized Sales Tax recoveries), revising the current purchase order from \$490,246 excluding all applicable taxes and charges (\$498,874 net of Harmonized Sales Tax recoveries) to \$778,306 excluding all applicable taxes and charges (\$792,003 net of Harmonized Sales Tax recoveries).

The original Purchase Order value was issued on June 25, 2012 in the amount of \$135,084, excluding all applicable taxes and charges (\$137,461 net of Harmonized Sales Tax recoveries), for Phase 1 work, which included site inventory, concept design, and consultation.

## RECOMMENDATIONS

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

1. The General Government Committee, in accordance with section 71-11.1C of the City of Toronto Municipal Code Chapter 71 (Financial Control Bylaw), grant authority to amend Purchase Order Number 6035314 issued to Public Work Office for Urban Design, for the provision of all professional and technical services for the design and construction of Lower Garrison Creek Park (formerly Mouth of the Creek Park) to increase the purchase order value by \$288,060 excluding all applicable taxes and charges (\$293,129 net of Harmonized Sales Tax recoveries), revising the purchase order value from \$490,246 excluding all applicable taxes and charges (\$498,874 net of Harmonized Sales Tax recoveries) to \$778,306 excluding all applicable taxes and charges (\$792,003 net of Harmonized Sales Tax recoveries).

## FINANCIAL IMPACT

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The total value of the Purchase Order Amendment identified in this report is \$288,060 excluding all applicable taxes and charges (\$293,129 net of Harmonized Sales Tax recoveries). This will increase the current purchase order value from \$490,246 excluding all applicable taxes and charges (\$498,874 net of Harmonized Sales Tax recoveries) to \$778,306 excluding all applicable taxes and charges (\$792,003 net of Harmonized Sales Tax recoveries).

Funding for this purchase order amendment is included in Parks, Forestry and Recreation's 2023 Council Approved Capital Budget and 2024-2032 Capital Plan as summarized in Table 1 below.

Table 1: Financial Impact Summary

WBS Element	Description	Year	Total (Net of HST Recoveries)
CPR117-46-44	Mouth of the Creek Construction (Lower Garrison Creek Park)	2023	\$293,129

The Interim Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact section.

## DECISION HISTORY

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At its meeting on July 19, 2022, City Council approved Parks, Forestry and Recreation's 2022 Four Month Capital Variance Report through item 2022.EX34.15 (recommendation 1) and an additional \$6.300 million for the Mouth of the Creek Construction (Lower Garrison Creek) project.

<https://secure.toronto.ca/council/agenda-item.do?item=2022.EX34.15>

At its meeting on February 17, 2016, City Council approved the Parks, Forestry and Recreation's 2016 Capital Budget through item 2016.EX12.2 (28.a.i.) and \$6.900 million for the Mouth of the Creek Construction (Lower Garrison Creek) Phase 1.

<https://secure.toronto.ca/council/agenda-item.do?item=2016.EX12.2>

## COMMENTS

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Parks, Forestry, and Recreation is advancing the tender and construction phases of Lower Garrison Creek Park (formerly Mouth of the Creek Park), which is located in Spadina Fort York – 10, within the City Place neighbourhood and the designated Fort York Historic Site. The scope of the project for the development of the site includes:

- environmental remediation
- ground reinforcement
- significant retaining walls and features to recreate the bluff and landscape at the mouth of the creek circa 1812
- trail connections under Bathurst Street Bridge to the recreational trail system in Fort York
- a new playground and lighting
- natural storm water management features

The original Purchase Order value was issued on June 25, 2012 in the amount of \$135,084, excluding all applicable taxes and charges (\$137,461 net of Harmonized Sales Tax recoveries), for Phase 1 work, which included site inventory, concept design, and consultation. The park design was developed through extensive public consultation from 2012 to 2015, as well as a rigorous environmental reporting process culminating in a detailed design in 2018. During this time site availability due to Bathurst Street Bridge construction also resulted in delays.

This is the seventh amendment to the Purchase Order since 2013 and is required to compensate the vendor for the additional costs resulting from a significant project delay. The project was paused in December 2018 when Metrolinx required the site for construction access and staging to fulfill its Union Station Corridor rail improvements. A Licence Agreement was entered into with Metrolinx in March 2020, it was subsequently terminated by Metrolinx licence in June 2021. This delay resulted in additional work for project coordination and contract administration scope of services due to buried municipal services, soil conditions and escalation of fee rates. Prior Purchase Order Amendments are outlined in Attachment 1.

Park construction is now on track, and utilizing a pre-qualified contractor, it is anticipated to reach completion by December 2025.

It is the opinion of City staff, that the costs submitted by Public Work Office for Urban Design for the requested amendment are considered fair and reasonable, in keeping with the terms and conditions of Request for Proposal Document Number 9118-12-5009.

## **CONTACT**

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## **SIGNATURE**

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Howie Dayton  
Acting General Manager, Parks, Forestry and Recreation

Geneviève Sharkey  
Chief Procurement Officer

## **ATTACHMENTS**

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Attachment 1: Table 1 – Purchase Order Amendments since 2013

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Timeline	Total	Reason
<b>August 2013</b>	No increase in the purchase order value.	Administrative amendment reallocating funds between line items in the purchase order.
October 2013	\$47,563, excluding all applicable taxes and charges (\$48,400 net of Harmonized Sales Tax recoveries).	Administrative amendment, incorporating Phase 2 work of design development and consultation, as stated in the accepted proposal based on award of project.
October 2016	\$101,349, excluding all applicable taxes and charges (\$103,133 net of Harmonized Sales Tax recoveries).	Phase 3 work as stated in the accepted proposal based on award of project, for project implementation and consultation.
August 2017	The amendment was an increase of \$186,250 excluding all applicable taxes and charges (\$189,528 net of Harmonized Sales Tax recoveries).	Increase in design scope in response to public and stakeholder consultation input, resulting in an increased project budget and additional services required.
October 2018	\$20,000 excluding all applicable taxes and charges (\$20,352 net of Harmonized Sales Tax recoveries).	Increase in design scope to prepare a preliminary design for the pathway connection from Lower Garrison Creek Park to the East Gate of Fort York.
December 2020	No increase in the purchase order value.	Administrative amendment reallocating funds between line items in the purchase order.