

## **Amendment to Purchase Order Number 6054342 to 373044 Ont. Ltd. O/A Trans Canada Construction for Construction Services for Donald D. Summerville Pool for Parks, Forestry and Recreation**

**Date:** March 12, 2024

**To:** General Government Committee

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

**Wards:** Beaches-East York - 19

### **SUMMARY**

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The purpose of this report is to request authority to amend Purchase Order Number 6054342 with 373044 Ont. Ltd. O/A Trans Canada Construction, as a result of Request for Tender Document Number 3752824967 (Contract Number 22-PFR-192) for the state of good repair works at Donald D. Summerville Olympic Pools.

This purchase order amendment is requested to address unforeseen site conditions that necessitated additional repair work to allow the installation of new pool liners at Donald D. Summerville Outdoor Pools.

The total value of the purchase order amendment being requested is \$769,569 net of all applicable taxes and charges (\$783,113 net of Harmonized Sales Tax recoveries), revising the current purchase order from \$1,992,413 net of all applicable taxes and charges (\$2,027,480 net of Harmonized Sales Tax recoveries) to \$2,761,982 net of all applicable taxes and charges (\$2,810,593 net of Harmonized Sales Tax recoveries).

### **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 6054342 issued to 373044 Ont. Ltd. O/A Trans Canada Construction, to complete state of good repair works at Donald D. Summerville Olympic Pools by increasing the value by \$769,569 net of all applicable taxes and

charges (\$783,113 net of Harmonized Sales Tax recoveries), from \$1,992,413 net of all applicable taxes and charges (\$2,027,480 net of Harmonized Sales Tax recoveries) to \$2,761,982 net of all applicable taxes and charges (\$2,810,593 net of Harmonized Sales Tax recoveries).

**FINANCIAL IMPACT**

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The purchase order amendment request included in this report will increase the total value of construction services by an additional \$769,569 net of all applicable taxes and charges (\$783,113 net of Harmonized Sales Tax recoveries). This will increase the current purchase order value from \$1,992,413 net of all applicable taxes and charges (\$2,027,480 net of Harmonized Sales Tax recoveries) to \$2,761,982 net of all applicable taxes and charges (\$2,810,593 net of Harmonized Sales Tax recoveries)

Funding for this purchase order amendment is included in Parks, Forestry and Recreation's 2024 Council Approved Capital Budget and 2025-2033 Capital Plan as summarized in Table 1 below (net of Harmonized Sales Tax recoveries):

Table 1: Financial Impact Summary

WBS Element	Description	Year	Total (Net of HST Recoveries)
CPR120-48-01	CAMP (SGR) Pools	2024	\$783,113

The 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 February 14, 2024, City Council approved Parks, Forestry and Recreation's 2024-2033 Capital Budget and Plan through item 2024.MPB15.1 (59) and additional funds for construction at Donald D. Summerville Outdoor Pools. [Agenda Item History - 2024.MPB15.1 \(toronto.ca\)](#)

At its meeting on February 1, 2023, Bid Award Panel granted authority to award a contract to 373044 ONT LTD O/A Trans Canada Construction for the supply and delivery of all labour, materials, equipment, and supervision required to complete liner replacement at Donald D. Summerville Olympic Pool. <https://secure.toronto.ca/council/report.do?meeting=2023.BA12&type=decisions>

**COMMENTS**

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Parks, Forestry and Recreation is advancing a comprehensive state of good repair restoration project at Donald D. Summerville Outdoor Pools. The outdoor pool complex

is one of the largest City-owned outdoor pools, with a 50m Olympic pool, 25m leisure pool, and a dive pool, constructed above pool changerooms, storage and mechanical equipment space. The principal components of the restoration project include complete replacement of pool liners, concrete shell restoration, repairs to drains, plumbing and pool decks.

The original purchase order value was \$1,549,486 net of all applicable taxes and charges (\$1,576,757 net of Harmonized Sales Tax recoveries) for the state of good repair works at Donald D. Summerville Olympic Pools. The scope of work included removal of existing pool liners and installation of new ones at two existing pools, as well as limited repairs to pool shells.

The first purchase order amendment was issued on July 25, 2023 in the amount of \$442,927 net of all applicable taxes and charges (\$450,723 net of HST recoveries) increasing the original contract value to \$1,992,413 net of all applicable taxes and charges (\$2,027,480 net of Harmonized Sales Tax recoveries) to cover additional work required on site. This includes additional removal and disposal of old pool materials, repairs and rebuilding of concrete pool shell at various locations, and capping of old, abandoned underwater lights. The second purchase order amendment was issued on January 10, 2024 to extend the contract delivery date to December 31, 2024 with no increase in purchase order value.

This is the third order amendment in the amount of \$769,569 net of all applicable taxes and charges (\$783,113 net of Harmonized Sales Tax recoveries), revises the current purchase order value to \$2,761,982 net of all applicable taxes and charges (\$2,810,593 net of Harmonized Sales Tax recoveries) and is required to compensate the vendor for unforeseen increased construction costs necessary to restore the City's assets and extend its operational lifetime.

During the execution of the construction contract, deficiencies in the original construction and significant deterioration of the pool structures were uncovered, necessitating extensive repairs and upgrades to the pools, including extensive concrete repairs to pool decks and shells, along with work on main drains, jets, and skimmers. To extend the life of the existing assets, and to maintain warranties on newly supplied work, the contractor is required to provide additional material and implement extra work, resulting in significant increase in scope, procedural complexity, effort, and cost. The additional work also includes weather protection to minimize variable conditions so that pool liners can be installed under optimal conditions and be completed in time for the 2024 swim season. This work is anticipated to complete in the second quarter of 2024.

It is the opinion of City staff and the architect consultant on the project that the costs submitted by 373044 Ont. Ltd. O/A Trans Canada Construction for the requested amendments are fair and reasonable, and in keeping with the terms and conditions of the construction agreement contract.

The Fair Wage Office has reported that the vendor identified in this report indicates that it has reviewed and understands the City of Toronto Fair Wage Policy and Labour Trades requirements and has agreed to comply fully.

## **CONTACT**

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## **SIGNATURE**

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Howie Dayton  
Acting General Manager, Parks, Forestry and Recreation

Geneviève Sharkey  
Chief Procurement Officer