

Purchase Order Amendments for Professional Services and Non-Competitive Contract with Jordan Sook Studios Inc. for the Provision of Public Art - New Etobicoke Civic Centre

Date: March 23, 2026

To: General Government Committee

From: Executive Director, Corporate Real Estate Management, General Manager, Economic Development and Culture and the Chief Procurement Officer

Wards: 3 - Etobicoke-Lakeshore

SUMMARY

The new Etobicoke Civic Centre ("ECC") is a hallmark City-building project, located within the newly redeveloped Etobicoke Civic Centre precinct (formerly the Westwood Theatre Lands). It is the focal point of the Six Points development in Etobicoke Centre, a City building project that features the delivery of the City Council adopted initiatives HousingNow, and TransformTO. The new ECC, located at 3755 Bloor Street West, is designed as a mixed-use building comprising of office spaces, a multi-purpose council chamber, a childcare centre, library, public health clinic, recreation centre, retail spaces and a civic square located steps away from a new affordable housing community.

In December 2023, City Council approved the award for general contracting services to Multiplex Construction Canada Limited (Multiplex) and construction of the new ECC commenced in March 2024. Construction has advanced to the above-grade phase, with concrete work on the podium floors nearing completion. As vertical construction continues, the pace of activity is expected to accelerate over the coming months. The building exterior is in production with installation planned to begin later this year. The project currently remains on budget and on schedule.

The purpose of this report is to seek the necessary procurement authorities to amend the following existing purchase order agreements for contract administration and project management services to proactively strengthen elements of project delivery (e.g., extending the warranty period, enhancing contract administration and project management oversight services) and address client-driven program and functional changes that emerged after the design was completed:

- Amendment to Purchase Order Number 6053353 with Adamson Associates Architects (Adamson) to perform additional construction contract oversight services

associated with the construction of the new ECC. The total value of the purchase order amendment being requested is \$1,705,928 net of all applicable taxes and charges (\$1,735,952 net of Harmonized Sales Tax recoveries), revising the current purchase order value from \$20,234,075 net of all applicable taxes (\$20,590,194 net of Harmonized Sales Tax recoveries) to \$21,940,002 net of all applicable taxes (\$22,326,146 net of Harmonized Sales Tax recoveries).

- Amendment to Purchase Order Number 6053178 with MGAC Canada ULC (MGAC), to perform continued project management services associated with the construction of the new ECC. The total value of the purchase order amendment for MGAC being request is \$2,310,827 net of all applicable taxes and charges (\$2,351,498 net of Harmonized Sales Tax recoveries), revising the current purchase order value from \$5,018,707 net of all applicable taxes (\$5,107,036 net of Harmonized Sales Tax recoveries) to \$7,329,534 net of all applicable taxes (\$7,458,533 net of Harmonized Sales Tax recoveries).

Strategic project management efforts generated cost savings from other project components that fully offset the requested purchase order amendments, enabling staff to proactively take measures to ensure the project remains positioned for successful delivery on budget and on time which is currently anticipated for the end of 2028. City Council approval is required to amend the purchase orders, in accordance with Section 71-11.1C of the Toronto Municipal Code, Chapter 71 Financial Control By-Law, where the current request exceeds the allowable threshold of \$500,000.

Additionally, this report seeks authority to enter into the following non-competitive contract for the provision of public art to be displayed in the multi-level atrium of the new ECC:

- Non-competitive contract with Jordan Sook Studios for the provision of public art at the new ECC in the amount of \$514,250 net of all applicable taxes and charges.

Jordan Sook Studios was selected through a national design competition led by Economic Development and Culture (EDC) in collaboration with Corporate Real Estate Management (CREM) to create a landmark public sculpture that will be displayed in the multi-level atrium of the new ECC. The competition was conducted following EDC's established practices for commissioning public art works, in alignment with the Council-approved Public Art Strategy. Under Municipal Code Chapter 195-7.1.(M), Procurement, a non-competitive procurement may be used to award a contract to the winner of a design contest, provided that the contest is organized in a manner that is consistent with the principle of fair competition contained in the Chapter, in particular relating to public advertising; and the participants are judged by an independent jury with a view to a design contract being awarded to a winner.

City Council approval is required to award the contract, in accordance with Municipal Code Chapter 195, Procurement, Article 7, Section 195.7.3 (D) and to make a commitment as per the Toronto Municipal Code, Chapter 71, Financial Control, Section 71-11(A), where the request exceeds the threshold of \$500,000 net of Harmonized Sales Tax.

RECOMMENDATIONS

The Executive Director, Corporate Real Estate Management, General Manager, Economic Development and Culture and the Chief Procurement Officer recommend that:

1. City Council, in accordance with Section 71- 11.C of the City of Toronto Municipal Code Chapter 71, Financial Control By-law, grant authority to the Executive Director, Corporate Real Estate Management to amend Purchase Order Number 6053353 with Adamson Associates Architects, increasing the current purchase order value by \$1,705,928 net of all applicable taxes (\$1,735,952 net of Harmonized Sales Tax recoveries) revising the total purchase order value from \$20,234,075 net of all applicable taxes (\$20,590,194 net of Harmonized Sales Tax recoveries) to \$21,940,002 net of all applicable taxes (\$22,326,146 net of Harmonized Sales Tax recoveries).
2. City Council, in accordance with Section 71- 11.C of the City of Toronto Municipal Code Chapter 71, Financial Control By-law, grant authority to the Executive Director, Corporate Real Estate Management to amend Purchase Order Number 6053178 with MGAC Canada ULC, increasing the current purchase order value by \$2,310,827 net of all applicable taxes (\$2,351,498 net of Harmonized Sales Tax recoveries) revising the total purchase order value from \$5,018,707 net of all applicable taxes (\$5,107,036 net of Harmonized Sales Tax recoveries) to \$7,329,534 net of all applicable taxes (\$7,458,533 net of Harmonized Sales Tax recoveries).
3. City Council authorize the General Manager, Economic Development and Culture, to negotiate and execute a non-competitive agreement with Jordan Sook Studios for the provision of public art in the amount of \$514,250 net of all applicable taxes and charges (\$523,301 net of Harmonized Sales Tax recoveries) for a term beginning at the date of the contract award to September 1, 2028, with the option to extend for an additional one-year period, on terms and conditions satisfactory to the General Manager, Economic Development and Culture, and in a form satisfactory to the City Solicitor.

FINANCIAL IMPACT

No incremental funding is required, as the additional costs from the purchase order amendments for Adamson and MGAC, and the award to Jordan Sook Studios, are fully offset by cost savings from other project components generated by strategic project management efforts.

As a result, funding for the requested Adamson purchase order amendment is available in the Council Adopted 2026-2035 Capital Budget and Plan for Corporate Real Estate Management and is within the total Council Adopted project budget for the new ECC. Table 1 below outlines the available approved funding for this amendment.

Table 1: Funding for Adamson Purchase Order Amendment (net of Harmonized Sales Tax recoveries)

Description: Purchase Order Amendment	Total Purchase Order Amendment Funded through CCA300-03
Adamson Additional Scope	\$1,735,952

Year	Total
2026	\$1,190,519
2027	\$254,400
2028	\$168,922
2029	\$76,320
2030	\$45,792
Total	\$1,735,952

The project's prime consulting services agreement with Adamson has a total value of \$20,234,075 net of all applicable taxes (\$20,590,194 net of Harmonized Sales Tax recoveries). The requested amendment would increase this value by \$1,705,928 net of all applicable taxes (\$1,735,952 net of Harmonized Sales Tax recoveries) for a revised Purchase Order 6053353 with a value of \$21,940,002 net of all applicable taxes (\$22,326,146 net of Harmonized Sales Tax recoveries). The contract authority increases for allowances represent upset limits and will be amended only if required.

Funding for the requested MGAC contract amendment is available in the Council Adopted 2026-2035 Capital Budget and Plan for Corporate Real Estate Management and is within the total Council Adopted project budget for the new ECC. Table 2 below outlines the available approved funding for this amendment.

Table 2: Funding for MGAC Purchase Order Amendment (net of Harmonized Sales Tax recoveries)

Description: Purchase Order Amendment	Total Purchase Order Amendment Funded through CCA300-03
MGAC Additional Scope	\$2,351,498

Year	Total
2026	\$1,460,660
2027	\$692,845
2028	\$197,992
Total	\$2,310,827

The project management consulting services agreement with MGAC has a total value of \$5,018,707 net of all applicable taxes (\$5,107,036 net of Harmonized Sales Tax recoveries). The requested amendment would increase this value by \$2,310,827 net of all applicable taxes (\$2,351,498 net of Harmonized Sales Tax recoveries) for a revised Purchase Order 6053178 with a value of \$7,329,534 net of all applicable taxes (\$7,458,533 net of Harmonized Sales Tax recoveries). The contract authority increases for allowances represent upset limits and will be amended only if required.

The total contract value for Jordan Sook Studios identified in this report is \$514,250 net of all applicable taxes and charges (\$523,301 net of Harmonized Sales Tax recoveries).

Funding is available in the Council Adopted 2026-2035 Capital Budget and Plan for Corporate Real Estate Management under CCA300-03 (new ECC), as follows in Table 3 below.

Table 3: Funding for Non-Competitive Contract with Jordan Sook Studios (net of Harmonized Sales Tax recoveries)

Year	Total
2026	\$400,171
2027	\$6,106
2028	\$117,024
Total	\$523,301

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

DECISION HISTORY

At its meeting of December 13-15, 2023, City Council adopted item EX10.19 "Integrating City Council Adopted Housing, Net-Zero and Office Optimization Strategies to Develop Etobicoke Civic Centre via the award of nRFP No. Doc 3768637145 for General Contracting Services for the New Etobicoke Civic Centre," supporting the authorization of a contract award for the delivery of General Contracting Services for the new Etobicoke Civic project to Multiplex Construction Canada Limited and authorization to amend Purchase Order Number 6053353 issued to Adamson Associates Architects. <https://secure.toronto.ca/council/agenda-item.do?item=2023.EX10.19>

At its meeting of December 6-7, 2022, City Council adopted item GL29.15 "Re-Assignment of New Etobicoke Civic Centre Project and Contracts from CreateTO to Corporate Real Estate Management," supporting the authorization of the transfer of existing contracts, including the Adamson Associates Architects contract, to Corporate Real Estate Management for the execution of the Construction Documents, Bidding &

Negotiation (General Contractor Solicitation) and Contract Administration services for the new Etobicoke Civic Centre Project.

<https://secure.toronto.ca/council/agenda-item.do?item=2022.GL29.15>

At its meeting of December 15-17, 2021, City Council adopted item PH29.4 "Etobicoke Civic Centre - City-Initiated Zoning By-law Amendment Application - Final Report" approving a Zoning By-Law Amendment for the new Etobicoke Civic Centre. This report to Council identified plans to incorporate public art as a community benefit in the design of the new civic centre and outlined an approach to conducting a design competition to select artists and artworks.

<https://secure.toronto.ca/council/agenda-item.do?item=2021.PH29.4>

At its meeting of December 17-18, 2019, City Council adopted item EX11.24 "Relocation of the Etobicoke Civic Centre," supporting the authorization of CreateTO to proceed with Phase Three of the Major Capital project Approval Process, including Detail Design, Contract Documents and Tender.

<https://secure.toronto.ca/council/agenda-item.do?item=2019.EX11.24>

At its meeting of November 7, 2017, City Council adopted item EX28.12 "Update and Next Steps on the Potential Relocation of the Etobicoke Civic Centre," which adopted the decision of the Etobicoke Civic Centre Building Design Competition jury's selection of Adamson Associates Architects, Henning Larsen Architects and PMA Landscape Architects as the winning submission of the Etobicoke Civic Centre Design Competition and directed The Toronto Realty Agency (CreateTO), in consultation with City staff, to proceed with Phase Two of the Major Capital Project Approval Process and report back to Council on such results.

<https://secure.toronto.ca/council/agenda-item.do?item=2017.EX28.12>

At its meeting of July 12-15, 2016, City Council adopted item EX16.22 "Etobicoke Civic Centre Relocation," supporting the Westwood Theatre Lands as the preferred location for the relocated Etobicoke Civic Centre. The report directed City staff to work with Build Toronto (CreateTO) and carry out a design competition for a new Etobicoke Civic Centre on the Westwood Theatre Lands; establish a building program to inform the design competition; undertake a feasibility and business case analysis for a new Etobicoke Civic Centre at the Westwood Theatre Lands; examine costs and potential revenue/funding sources with the sale of three (3) city assets; and to examine the opportunities for affordable housing and report back to City Council with the results.

<https://secure.toronto.ca/council/agenda-item.do?item=2016.EX16.22>

COMMENTS

Background

The new ECC is a hallmark City-building project, located within the newly redeveloped Etobicoke Civic Centre precinct (formerly the Westwood Theatre Lands). It is the focal point of the Six Points development in Etobicoke Centre, a City building project that features the delivery of the City Council adopted initiatives Housing Now, and TransformTO.

The new ECC, located at 3755 Bloor Street West, is designed as a mixed-use building comprising of office spaces, a multi-purpose council chamber, a childcare centre, library, public health clinic, recreation centre, retail spaces and a civic square located steps away from a new affordable housing community.

In December 2023, Council approved the award for general contracting services to Multiplex and construction of the new ECC commenced in March 2024. Construction has advanced to the above-grade phase, with concrete work on the podium floors nearing completion. As vertical construction continues, the pace of activity is expected to accelerate over the coming months. The building exterior is in production with installation planned for later this year. The project currently remains on budget and on schedule.

With construction well underway, staff are seeking the necessary procurement authorities to amend existing purchase orders for contract administration and project management services. As the project has evolved, staff have identified opportunities to proactively strengthen elements of project delivery, including an extended warranty period, enhancing contract administration and project management oversight services, along with addressing client-driven program and functional changes that emerged after the design was completed. Strategic project management efforts generated cost savings from other project components that fully offset the proposed purchase order amendments. This allows staff to take forward-thinking measures to ensure the project remains positioned for successful delivery on budget and on time which is currently anticipated for the end of 2028.

Requested Purchase Order Amendment for Adamson

The requested purchase order amendment for Adamson will support the following:

- *Extension of warranty and post-substantial completion periods:* The City has requested to extend the warranty period from 12 months to 24 months, and the post-substantial completion period from three months to nine months to reinforce contractor accountability for quality and to mitigate the risk of the City assuming responsibility for addressing project deficiencies in the future. This carries an additional fee of \$279,022 net of all applicable taxes (\$283,932 net of Harmonized Sales Tax recoveries).
- *Streamlining accountability and coordination on office interior components:* In order to ensure a single point of accountability and reduce the need for additional coordination among consultants on the new ECC project, all work regarding the office interior components have been transferred to Adamson. This has resulted in additional scopes of work for Adamson, for which Adamson has provided a fee of \$647,965 net of all applicable taxes (\$659,369 net of Harmonized Sales Tax recoveries) for these services.
- *Enwave District Energy Plant design changes and coordination:* The Enwave District Energy Plant is located within the lower level of the new ECC building. Enwave requires design changes due to updates to the neighbouring Housing Now projects and enhanced coordination by Adamson for integration of services. Adamson has provided a fee of \$178,941 net of all applicable taxes (\$182,090 net of Harmonized

Sales Tax recoveries) for these services to date. These costs are reimbursable from Enwave under an existing agreement between the City and Enwave.

- *Contingency funds for potential program-driven design changes:* The amendment includes contingency funds for Adamson in order to accommodate potential program-driven design changes necessary to support updated operational needs of future occupying City Divisions, Agencies and Corporations, as well as technology evolutions since the original design was completed.

To capture these updated costs for continued services, including contingency, until the new ECC project's completion, this report requests the authority of City Council to increase Purchase Order Number 6053353 by \$1,705,928 net of all applicable taxes (\$1,735,952 net of Harmonized Sales Tax recoveries). This increase will revise the current purchase order value from \$20,234,075 net of all applicable taxes (\$20,590,194 net of Harmonized Sales Tax recoveries) to \$21,940,002 net of all applicable taxes (\$22,326,146 net of Harmonized Sales Tax recoveries).

Requested Purchase Order Amendment for MGAC

The requested purchase order amendment for MGAC will support the following:

- *Enhanced services to strengthen City's project oversight:* As an extension of MGAC services as the owner's representative and project oversight subject matter experts, the City has requested additional services to support administration of the construction process, ensuring alignment with evolving project requirements and maintaining quality throughout construction. Enhanced services such as advanced schedule analysis to mitigate against delay claims and additional financial reporting, further strengthen the City's oversight of the delivery of the new ECC. This carries an additional fee of \$1,710,827 net of all applicable taxes (\$1,740,937 net of Harmonized Sales Tax recoveries).
- *Contingency funds for potential program-driven changes:* The amendment includes contingency funds for MGAC to account for potential program-driven design changes necessary to support updated operational needs of future occupying City Divisions, Agencies and Corporations, as well as technology evolutions since the original design was completed.

To capture these updated costs for continued services, including contingency, until the ECC project's completion, this report requests the authority of City Council to increase purchase order 6053178 by \$2,310,827 net of all applicable taxes (\$2,351,498 net of Harmonized Sales Tax recoveries). This increase will revise the current purchase order value from \$5,018,707 net of all applicable taxes (\$5,107,036 net of Harmonized Sales Tax recoveries) to \$7,329,534 net of all applicable taxes (\$7,458,533 net of Harmonized Sales Tax recoveries).

Non-Competitive Contract with Jordan Sook Studios

Jordan Sook Studios was selected through a national design competition led by EDC, in collaboration with CREM, to commission a unique new public artwork that will feature prominently at the new ECC. Public art was identified as a community benefit to enhance the design of the new ECC as part of a December 2021 report to Council (Item

2021.PH29.4). The inclusion of public art contributes to a stronger sense of place and community and creates opportunities for residents to engage with arts and culture, in keeping with the objectives of the Council-approved Toronto Public Art Strategy and Culture Connects: An Action Plan for Culture in Toronto.

A two-stage, national public art competition was launched in 2022 to select an artist to create a signature commission that will be displayed in the multi-storey atrium lobby. The competition was widely advertised through the City's promotional channels and through national, arts-based networks. In the first stage of the competition, 62 artists submitted Expressions of Interest for the public art commission, which were reviewed by an independent jury comprising of local community leaders and arts professionals. The jury shortlisted six artists to develop full design proposals for the second stage of the competition, based on a fixed project budget. The six design proposals were presented for community consultation in spring 2023 through an online survey that drew 300 responses. After reviewing feedback from the community survey, and an assessment of each proposal's artistic merit and technical feasibility, the jury recommended that the commission be awarded to Jordan Sook (represented by Jordan Sook Studios).

Jordan Sook is a Toronto-based contemporary mixed media artist known for bold, large-scale installations and works that recontextualize everyday objects to explore themes of identity, culture, and social commentary. His practice spans painting, sculpture, and public art, often blending playful aesthetics with deeper narratives about the human experience. Sook will create a suspended sculpture in the multi-storey lobby atrium of the new ECC. The artwork is entitled "love is the space between us & infinity" and will be a bright red rollercoaster track sculpture, winding its way through the air in a series of graceful loops and curves, reflecting the area's past life as "Spaghetti Junction." Approximately 33 feet by 28 feet, the infinite loop creates a unique landmark and a playful, memorable, engaging public artwork.

Under the terms of the public art contract, Jordan Sook Studios will be responsible for the design and construction of the artwork, including management of fabricators and installers as subcontractors. Progress of the contract will be closely monitored by City staff. Upon completion of the artwork and construction, estimated to be in 2028, ownership of the sculpture will be transferred to the City, with the City responsible for its long-term maintenance. The awarding of this contract is time sensitive to avoid delays in the construction of the new ECC and to avoid delays in contracting an independent artist.

Currently, under Municipal Code Chapter 195, Procurement, winners of public art design competitions are awarded non-competitive contracts. The non-competitive procurement exemptions in Chapter 195 are meant to reflect procurements that are not covered by international and national trade agreements. However, this language does not fully reflect the rigorous, competitive process used to commission public art. Commissioning public art requires a unique approach to procurement, including customized design competition processes, and awarding contracts based on artistic merit and alignment with community objectives. Unlike other procurements, the City sets a fixed budget for public art projects, and artists develop proposals within that budget. Recognizing this unique process, City staff will consider opportunities for new language and procurement options that more accurately reflect the alternative

procurement method used for public art, with the intent of streamlining administrative processes for independent artists, while continuing to uphold principles of competition, transparency, and accountability.

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SIGNATURE

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