



CITY OF KINGSTON
REPORT TO COUNCIL

Report No.: 10-205

TO: Mayor and Members of Council
FROM: Cynthia Beach, Commissioner, Sustainability and Growth
RESOURCE STAFF: Lanie Hurdle, Director, Recreation and Leisure Services
DATE OF MEETING: 2010-06-15
SUBJECT: Memorial Centre Leo Lafleur Pool and Memorial Gardens Capital Budget Amendment and Award of Construction Work

EXECUTIVE SUMMARY:

In May 2010, the City issued a Request for Proposal (RFP) for the construction of both the Memorial Gardens and Leo Lafleur Pool on the Memorial Centre site. The drawings and specifications were based on the Council approved concept plans. The intent of issuing both components of work under one contract was to speed up the construction process as this project has received a grant from the Recreational Infrastructure Canada (RInC) Program which has a deadline for completion of construction by March 31, 2011.

RFP submissions closed on June 9th, 2010. Three (3) bids were received and upon review of these bids with Legal Services, two (2) of them were identified as incomplete and all three (3) were significantly over budget. Upon further review, staff believed that in order to get proper expertise for each component of specialized work (landscaping and pool construction), that the work should be reissued separately. Companies that submitted bids were advised on June 11th that the City would not proceed with awarding the original RFP. On Monday June 14th, staff issued the RFP for the construction of the Memorial Gardens. This RFP will close on June 23rd. Should there not be a special meeting of Council prior to July 20th, 2010, staff will award the work under the time-sensitive clause within the City of Kingston's Purchasing By-Law and report back to Council on July 20th. It is anticipated that the award of the pool construction will be brought forward to Council on July 20th.

In 2009, the City of Kingston was awarded a total grant of \$3,333,332 through the Recreational Infrastructure Canada (RInC) Program for the Memorial Centre site projects. The Memorial Gardens component of these projects was not included in the City's 2009-2010 capital budget. An adjustment of \$270,000 from Municipal Capital Reserve Fund had been approved for this project in December of 2009. The grant funding from the RInC program had not been included in this budget adjustment. A total of \$1,333,332 has been granted through the RInC Program and an adjustment to the 2010 capital budget is required to account for this grant. This amendment does not have any impact on the City's funds.

RECOMMENDATION:

That Council approve a 2010 capital budget amendment of \$1,333,332 with funding from the Recreational Infrastructure Canada (RInC) Program.

AUTHORIZING SIGNATURES:

<u>ORIGINAL SIGNED BY COMMISSIONER</u> Cynthia Beach, Commissioner, Sustainability & Growth
<u>ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER</u> Gerard Hunt, Chief Administrative Officer

CONSULTATION WITH THE FOLLOWING COMMISSIONERS:

Terry Willing, <i>Community Services</i>	N/R
Denis Leger, <i>Transportation, Properties & Emergency Services</i>	N/R
Jim Keech, <i>President and CEO, Utilities Kingston</i>	N/R

(N/R indicates consultation not required)

OPTIONS/DISCUSSION:

Following the approval of the Leo Lafleur pool and Memorial Gardens concept plan, staff worked with a design architect to develop working drawings and an RFP document which were issued in May 2010. The RFP and drawings were developed with the assistance of a cost consultant who provided Class A costs for this project. These estimates were in line with the capital budget approved by Council.

Staff combined both the park construction with the pool to try to speed up the construction process in order to meet the grant deadline. Staff recognize that both project components require a certain expertise. Therefore, staff is reissuing separate RFP's for the Memorial Gardens and the Leo Lafleur pool. Due to the grant construction deadline and the limited Council meetings in the summer months, staff may award the work for the Memorial Gardens under the time-sensitive clause of the Purchasing By-Law.

EXISTING POLICY/BY LAW:

City of Kingston Purchasing By-Law2000-143

"Time-Sensitive Works" means an Offer to Procure, which is not an Emergency and for which the timing to initiate and/or complete the works is paramount but the time available to follow normal procedures is insufficient, including to ensure a sequence of contracts meets an overall timetable.

4.6 All Emergency or Time Sensitive procurements shall be governed by the following procedures:

- i) No Offer to Procure by Emergency or Time Sensitive procurement shall be issued without the prior specific written authorization permission of the Director or, in the case of Emergency, the designate of the Director.
- ii) Where the need to proceed by Emergency procurement arises in circumstances where the prior specific written authorization permission of the Director or designate is not possible, such authorization shall be obtained from the Director or designate as soon as possible thereafter.
- iii) Where possible, any written authorization permission of the Director provided for under this section will specify the means of making the Emergency or Time Sensitive procurement as well as the Good or Service to be obtained as well as the budget.

NOTICE PROVISIONS:

N/A

ACCESSIBILITY CONSIDERATIONS:

A member of the Municipal Accessibility Advisory Committee worked with staff and the architect to develop detailed plans that meet accessibility requirements and standards.

FINANCIAL CONSIDERATIONS:

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CONTACTS:

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OTHER CITY OF KINGSTON STAFF CONSULTED:

Luke Follwell, Manager, Recreation Facilities

Hal Linscott, Director, Legal Services

EXHIBITS ATTACHED:

N/A