

Report to Community & Protective Services Committee

To: Chair and Members
Community & Protective Services Committee

From: Kelly Scherr, P. Eng., MBA, FEC
Deputy City Manager,
Environment & Infrastructure

Subject: Single Source Approval – Open Space Solutions Incorporated

Date: June 22, 2021

Recommendation

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions BE TAKEN with respect to the construction of the play area to support a new playground and fitness equipment installation in South-west Optimist District Park, as sponsored by Hully-Gully Incorporated:

- a) the contract for the construction of the play area in South-west Optimist District Park BE AWARDED to Open Space Solutions Incorporated, 1561 Moser-Young Road, Wellesley, Ontario as a single source procurement (SS21-30) with a total value of \$186,868.74 plus HST, in accordance with Sections 14.4 (e), and (i) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for the project BE APPROVED in accordance with the "Sources of Financing Report" attached hereto as Appendix 'A';
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract; and
- e) the Mayor and City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations.

Executive Summary

Between 1997 and 2008, the Collins family through their Saturn Car dealership sponsored six playgrounds built in district parks across the City. These were partnership projects, with the City covering the costs of the surrounding playground area. Discussions occurred with the Collins Family over the last few months and they have recently committed to sponsor another playground in a London park - South-west Optimist District Park.

The purpose of this report is to approve the sponsor's playground supplier and installation contractor – Open Space Solutions Incorporated, to also complete the specialized play area components around the playground, ensuring a seamless and timely installation, with no overlapping contractor issues.

Linkage to the Corporate Strategic Plan

Strengthening our Community - Londoners are engaged and have a sense of belonging in their neighbourhoods and community:

- Install fully accessible play area surfacing at district parks when structures are being replaced.
- Continue to construct new parks and open spaces as the city grows.

Analysis

1.0 Background Information

Between 1997 and 2008, the Collins family, led by Randy and Audrey Collins and through their Saturn Car dealership sponsored six playgrounds built in district parks across the City. These were partnership projects with the City covering the costs of the surrounding playground area, woodchip surfacing, pathway links, benches and trees.

Discussions occurred with the Collins Family over the last few months under the City's Sponsorship Policy and they have again committed to sponsor another playground in a London park: South-west Optimist District Park. This project is being carried out to celebrate the Collins Family's 50th year in business and their vision to give back to the local community, near their Hully-Gully business.

South-west Optimist District Park serves a broad area in the south-west, as well as serving as the neighbourhood's local park. This park does not currently have playground equipment, so the new playground and fitness equipment will provide needed local recreational amenities as well as serve the growing south-west area.

As a standard park amenity, a letter will be sent to all residents within 200m of the park notifying them of the plan to add a playground and fitness equipment as per the Park Plan in Appendix "B". We anticipate a very positive response, as there are currently no City playgrounds within the service radius of this park. Should concerns be raised, we will endeavor to address those as part of the final site design.

2.0 Discussion and Consideration

2.1 Playground Equipment Sponsorship

The Collins Family, through their current business Hully Gully Incorporated has agreed to sponsor the supply and installation of a fully accessible unique playground valued at approximately \$175,000.

Section 3 of the Corporate Sponsorship and Advertising Policy is applicable to this arrangement as there will be public acknowledgement of the new playground similar to the six previous "Saturn Playgrounds", with signage at the site:

This Policy shall apply to all business relationships between The Corporation of the City of London and businesses which contribute either financially or in-kind to City programs, services, or facilities in return for recognitions, public acknowledgement, or other promotional considerations.

In accordance with the delegated approval authorities outlined in Section 4.11 of the Policy and to comply with Section 4.8.3 of the Policy, Hully-Gully will enter into an Administrative agreement with the City that outlines:

- *Any contribution by the sponsor or advertiser and the value of the contribution including any donations or advertising provided without charge to the City;*
- *The obligations of both the sponsor and the City;*
- *The duration of the sponsorship;*
- *The dispositions and ownership of any assets resulting from the sponsorship;*
- *A termination provision and the remedies available to both parties upon termination;*

- *Details of the exchange of marketing benefits, including both what the City will receive from the sponsor, and what benefits are to be provided to the sponsor; and*
- *Insurance coverage/indemnification clauses*

2.2 Single Source Play Area Construction Contract Award

Open Space Solutions Inc. has fast tracked the manufacturing of the play equipment, as shown in Appendix “C”, to meet their client’s timeline to have this playground and fitness equipment installed this summer – in time for Hully-Gully’s 50th anniversary. Coordination of the specialized play area construction with the playground installation will be key to the success of the project in the required timeline.

For this unique situation, staff are recommending that the Sponsor’s playground supplier and installer – Open Space Solutions Inc. be awarded the contract to also complete the surrounding play area under the following provisions of the City’s Procurement of Goods and Services Policy:

Section 14.4.e. The required goods and/or services are to be supplied by a particular supplier(s) having special knowledge, skills, expertise or experience;

Open Space Systems is an experienced playground supplier/installer and construction coordinator that the City has worked with on several other projects – most recently at Lorne Avenue Park.

Playground installations are a specialized construction process carried out in three phases. Installation of the surrounding play area is a precise process to meet Canadian Standards Association (CSA) regulations for safety setbacks and accessibility based on the playground equipment that is being installed. Coordination of the playground installation and the placement of the rubber surfacing is key to the long-term success of the project. Having one contractor do all works ensures that technical construction requirements can be better controlled. It also ensures that critical timelines can be met seamlessly and eliminates the potential of cross-claims, should the site require warranty repairs.

In addition, under Ministry of Labour regulations it is preferred that one contractor control a work site to avoid possible multiple contractor issues over the three stages of “ownership” of the site, and for worker and public safety.

Section 14.4.i. Another organization is funding or substantially funding the acquisition and has determined the supplier, and the terms and conditions of the commitment into which the City will enter are acceptable to the City;

Hully-Gully Inc. has contracted Open Space Solutions Inc. for \$175,000 to provide and install the playground and fitness equipment. The sponsor will enter into an agreement with the City as per Section 4.8.3 of the City’s Sponsorship Policy. Open Space Solutions will enter into a contract with the City and all work will be carried out in compliance with the City’s design standards and CSA regulations.

3.0 Financial Impact/Considerations

Open Space Solutions Incorporated has provided a quote for the full play area construction in the amount of \$169,880.74, plus a 10% contingency, plus HST. This work includes: site excavation, granular base, drainage system, concrete curbing, rubberized surfacing, topsoil and restoration. The price includes contract administration and site supervision by Open Space Solutions. Staff have reviewed this quote against a recent tender for park construction of similar features and found that the quoted price is competitive and represents good value in allowing us to receive this sponsorship in a

timely way, while ensuring a fully coordinated and safe construction site, supervised by one contractor - Open Space Solutions.

For the City's portion of the project as outlined above, funding is available in an existing capital account PK103319, as per Appendix "A".

Additional operational costs for the yearly CSA safety inspections and maintenance of the new playground will be \$3000 and be requested through the 2022 Assessment Growth process. Similarly, future capital funding to replace the playground at the end of its useful life will be included in a future Corporate Asset Management Assessment Growth request.

Conclusion

Award of this single source construction contract will ensure that the City can receive the generous sponsorship of the Collins family and Hully-Gully this summer and ensures a seamless and coordinated overall project under the responsibility and warranty of one specialized contractor.

Prepared by: **Andrew Macpherson**
Division Manager, Parks Planning & Operations

Submitted by: **Scott Stafford**
Director, Parks and Forestry

Recommended by: **Kelly Scherr, P. Eng., MBA, FEC**
Deputy City Manager
Environment & Infrastructure

Appendix "A" Source of Financing
Appendix "B" Southwest Optimist Park
Appendix "C" Layout Plan

Appendix "A"

#21101

June 22, 2021

(Award Contract)

Chair and Members

Community and Protective Services Committee

RE: Single Source Approval - New Playground Equipment - South-West Optimist District Park

(Subledger P1732101)

Capital Project PK103319 - New District Parks (2019-2023)

Open Space Solutions Incorporated - \$186,868.74 (excluding HST)

Finance Supports Report on the Sources of Financing:

Finance Supports confirms that the cost of this project can be accommodated within the financing available for it in the Capital Budget, and that, subject to the approval of the Deputy City Manager, Environment and Infrastructure, the detailed source of financing for this project is:

Estimated Expenditures	Approved Budget	Revised Budget	Committed To Date	This Submission	Balance for Future Work
Engineering	241,000	241,000	83,465	0	157,535
Construction	1,357,500	1,532,500	101,760	190,158	1,240,582
Total Expenditures	\$1,598,500	\$1,773,500	\$185,225	\$190,158	\$1,398,117

Sources of Financing

Capital Levy	108,010	108,010	80,712	6,767	20,531
Debenture Quota	588,533	588,533	0	0	588,533
Drawdown from City Services - Parks and Recreation (Development Charges) (Note 1)	901,957	901,957	104,513	8,391	789,053
Other Contributions (Hully Gully)	0	175,000	0	175,000	0
Total Financing	\$1,598,500	\$1,773,500	\$185,225	\$190,158	\$1,398,117

Financial Note:

Contract Price	PK103319C \$186,869
Add: HST @13%	24,293
Total Contract Price Including Taxes	211,162
Less: HST Rebate	-21,004
Net Contract Price	<u>\$190,158</u>

Note 1: Development charges have been utilized in accordance with the underlying legislation and the approved 2019 Development Charges Background Study and the 2021 Development Charges Background Study Update.

Note 2: Additional operational costs for the yearly CSA safety inspections and maintenance of the new playground will be \$3,000 and be requested through the 2022 Assessment Growth process.

Jason Davies

Manager of Financial Planning & Policy

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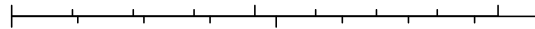
Southwest Optimist Park



5/27/2021 4:14:39 PM

1:1,000

Approximate Location of New Playground Equipment



0
0.01
0.02
0.04mi

0
0.02
0.04
0.07km

Approximate Location of New Outdoor Exercise Equipment

Customer :

OPENSOURCE SOLUTIONS INC.
 CITY OF LONDON
 HULLY GULLY, SOUTHDALE PARK

**Product(s)
 Layout Plan**

Products :

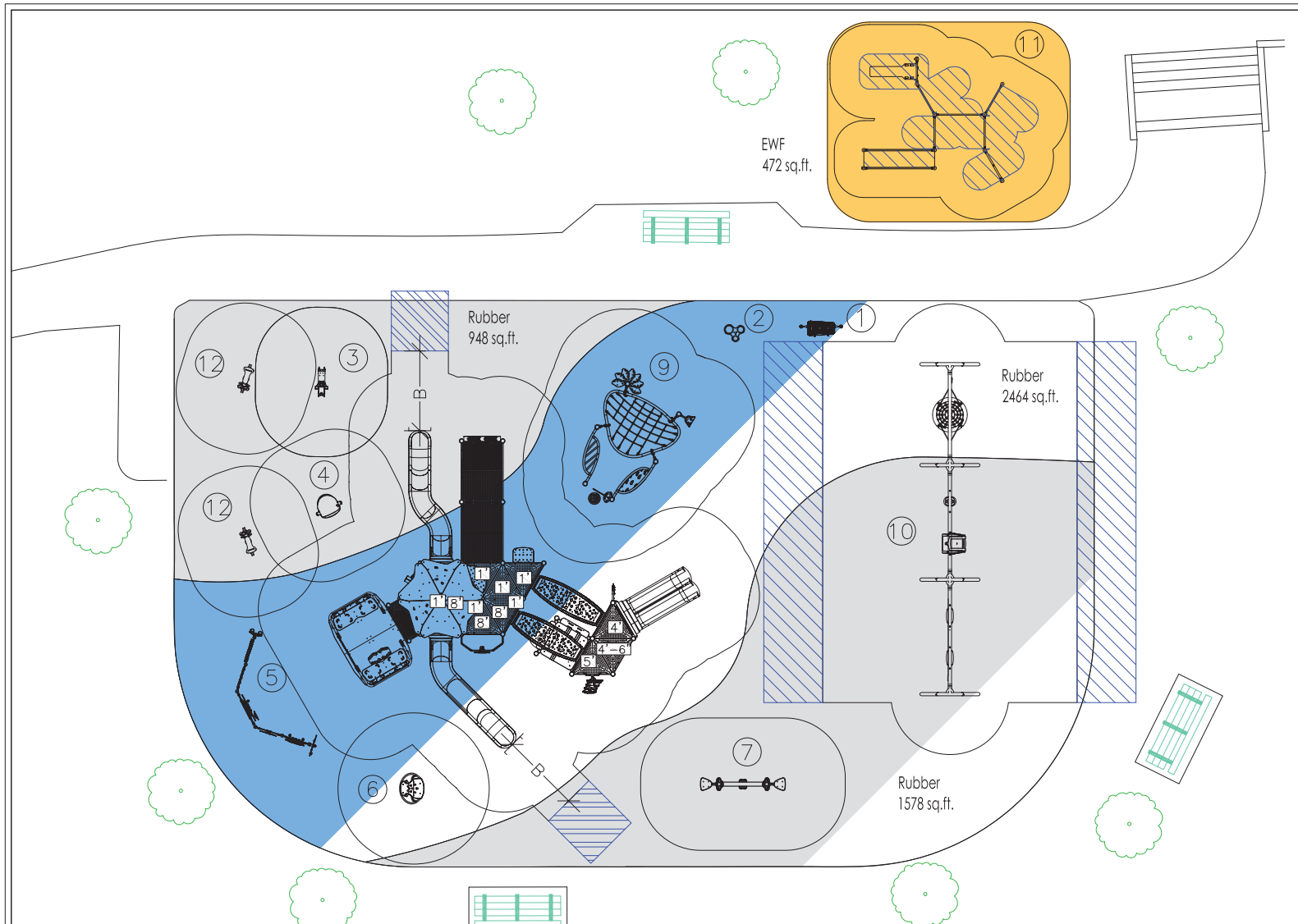
- 1- The xylophone
L-18033-B
- 2- The bongos
L-18031
- 3- Snowmobile spring rider
LA-9205-D
- 4- Rocking nest
L-19079
- 5- Creative space
L-15050-A
- 6- Spinning chair
L-18043
- 7- Teeter totter
L-13003
- 8- Playstructure
J3-21200-5HB
- 9- Manta climber
J6-21003-5B
- 10- 3 Bay Portal Swing
KSW926-Custom

Drawn by: M.I.

Date: 10.05.2021

Quotation

1068646



Legend

- = No-encroachment zone(s) 6' (1.83m)
- = Protective surfacing zone(s)
- = Protective surfacing zone(s) at the lower exit and of the slide(s)
 [A = 5' or 1.52m, 6' or 1.83m] [F = 7' or 2.13m] [B = 8' and over or 2.44m and over]

11- Combi 4 Pro
FSW10401

12- Scrambler
M-13070





