

4. DELEGATIONS

ITEMS 4.1 - 4.4 - NEW DELEGATIONS

- 4.1** A delegation by Mr. Jeff Forsyth, Member, Centennial Community and Recreation Association, in regards to item 8.14 - Toronto District School Board.
- 4.2** A delegation by Ms. Kathy Sullivan of 16 Goldberry Square, Toronto, in regards to item 8.14 - Toronto District School Board.
- 4.3** A delegation by Mr. Jeff Powlson of 21 Bathgate Drive, Toronto, in regards to item 8.14 - Toronto District School Board.
- 4.4** A delegation by Mr. Tony Sobczak of 136 Meadowvale, Toronto, in regards to item 8.14 - Toronto District School Board.

5. PRESENTATIONS

ITEM 5.3 - NEW PRESENTATION

- 5.3** Recognition of attendance record of Ed Patterson, Assistant Superintendent, Glen Haffy Conservation Area.

7. SECTION I - ITEMS FOR AUTHORITY ACTION

ITEM 7.1 - LISTED ON AGENDA AS REPORT TO FOLLOW

- 7.1 WESTERN BEACHES WATERCOURSE FACILITY, CONTRACT SERVICES FOR ENVIRONMENTAL ASSESSMENT AND DETAILED DESIGN**

MacViro Consulting Limited

15-18

TO: Chair and Members of the Authority
Meeting #12/04, January 28, 2005

FROM: Brian Denney, Chief Administrative Officer

**RE: WESTERN BEACHES WATERCOURSE FACILITY, CONTRACT SERVICES
FOR ENVIRONMENTAL ASSESSMENT AND DETAILED DESIGN
MacViro Consulting Limited**

KEY ISSUE

Approval to enter into a contract with the Toronto Waterfront Revitalization Corporation to assign the Contract for Services for MacViro Consulting Limited to undertake the Environmental Assessment and Detailed Design for the watercourse facility.

RECOMMENDATION

THAT the Toronto and Region Conservation Authority enter into a contract with the Toronto Waterfront Revitalization Corporation for assignment of a contract with MacViro Consulting Limited, at a cost not to exceed \$1,253,673, including GST;

AND FURTHER THAT the appropriate TRCA officials be authorized and directed to execute all necessary documentation required.

BACKGROUND

The International Dragon Boat Federation (IDBF) has awarded the 2006 World Club Crew Championship to Toronto, conditional upon the ability to deliver a paddling course and the necessary supporting facilities in time for the event (August 2006).

In a letter dated January 12, 2005, John W. Campbell, President and Chief Executive Officer of the Toronto Waterfront Revitalization Corporation (TWRC) confirmed that the Contribution Agreement for the Western Beaches Watercourse Facility (WBWF) in the amount of \$19 million has been executed by both federal and provincial authorities. The remaining \$4 million in financial commitment will be confirmed by the City of Toronto in early April, 2005, when their budget has been formally approved.

At Authority Meeting #9/04, held on October 29, 2004, Resolution #A281/04 was approved, in part, as follows:

THAT staff be directed to develop an Eligible Recipient Delivery Agreement with the Toronto Waterfront Revitalization Corporation (TWRC) for the purpose of development and implementation of a dragon boat course within the City of Toronto along Toronto's western beaches between Ontario Place and the mouth of the Humber River at an estimated cost of \$23 million;

The absence of a Contribution Agreement from three levels of government has delayed the ability to develop formal agreements between all involved parties, including the Eligible Recipient Delivery Agreement between TRCA and TWRC. The Delivery Agreement has been prepared and is in the process of being signed by the involved parties. However, in order to maintain the very aggressive schedule for the project, the TWRC has retained a highly competent consulting team through a competitive process led by MacViro Consulting Limited to initiate the Environmental Assessment and Detailed Design and a Contract for Services agreement is currently in place with MacViro Consulting Limited. The consulting team has initiated work on the Western Beaches Watercourse Facility and has made significant progress. Once the Delivery Agreement as the Eligible Recipient is in place, TRCA will be responsible for all activities regarding the development and implementation of the Western Beaches Watercourse Facility and will manage all consultant services, including consultants retained by TWRC.

DETAILS OF WORK TO BE DONE

TRCA will develop a contract with the TWRC for assignment of a contract with MacViro Consulting Limited, totaling \$1,253,673, including GST.

FINANCIAL DETAILS

The full cost of this project is projected to be \$23 million and will be covered under the Eligible Recipient Delivery Agreement, including all administrative and legal costs.

Report prepared by: Nancy Gaffney, extension 5313
For information contact: Nancy Gaffney, extension 5313
Date: January 25, 2005
Attachments: 1

Attachment 1



TORONTO WATERFRONT
REVITALIZATION CORPORATION

January 12, 2005

Mr. Brian Denney, P. Eng.
Chief Administrative Officer
Toronto and Region Conservation Authority
5 Shoreham Drive
Downsview, Ontario
M3N 1S4

Dear Brian:

Re: Western Beaches Watercourse Facility Status of Agreements

I am pleased to confirm that the Contribution Agreement for the Western Beaches Watercourse Facility in the amount of \$19M has been executed by both the federal and provincial authorities. The remaining \$4M in financial commitment will be confirmed by the City in early April, when their budget has been formally approved. As you are aware, we have also worked with your staff to review the consultant proposals, and together we have negotiated a scope of work and a budget with MacViro Consultants.

We are now in a position to implement a Delivery Agreement between the TRCA and the TWRC. Concurrently, the TRCA can develop an agreement with MacViro Consultants, and can also move forward with the retention of project management assistance. We would like to execute agreements as soon as possible so that we can facilitate payments for services related to this project. As you are aware, the lack of formal agreements has been a concern to all parties, and the consultants are particularly uncomfortable with the absence of contract documents. Nevertheless, the project has made progress, and we commend the TRCA and the consultant team for their spirit of co-operation in helping the Waterfront Corporation advance this critical project.

The MacViro team has been sensitive to the issue of schedule, and agreed to initiate work on this project in advance of formal agreements. In part, this decision was based on an assumption that agreements would be in place on or around December 15, 2004. MacViro has indicated to us that the continued inability to provide payment to their subconsultants is now problematic, and must be resolved immediately in order to maintain schedule. As you are aware, we are unable to process payments in the absence of executed agreements. I would appreciate the opportunity to discuss possible methods of resolving this issue, through letters of assurance to the consulting team, or possibly through partial payment of consulting costs in advance of the agreements.

Brian, I want to thank you for the assistance and support which we receive from you and the Authority. We regard you as an important partner in achieving our mutual objectives of waterfront revitalization.

Please call me at your earliest convenience.

Best Regards,

ORIGINAL SIGNED BY

John W. Campbell
President and CEO

JWC/al

c.c.: A. Freeman
N. Gaffney
R. Davidson
Document Control