

Section III – Items for the Information of the Board

TO: Chair and Members of the Board of Directors
Friday, September 27, 2024 Meeting

FROM: John MacKenzie, Chief Executive Officer

**RE: **PROCUREMENTS APPROVED UNDER DELEGATED
AUTHORITY OVER SUMMER RECESS IN 2024****
Report back on procurements and permits approved under
delegated authority

KEY ISSUE

Report procurements approved by the Chief Executive Officer (CEO) under delegated authority over the “summer recess” to ensure business continuity including support for municipal and partner supported programs and projects.

RECOMMENDATION:

IT IS RECOMMENDED THAT the information on procurements approved under delegated authority over the summer recess in 2024, be received.

BACKGROUND

At the Board of Directors Meeting held on September 23, 2022, Resolution #A114/22 was approved as follows:

WHEREAS no meetings of TRCA’s Executive Committee and Board of Directors are scheduled for the months of July, August and December of each calendar year and meetings scheduled for September, October and November during a municipal election year may have difficulty reaching quorum due to conflicting obligations of municipally-appointed board members;

THEREFORE, LET IT BE RESOLVED THAT the CEO be delegated authority during the months of July, August and December of each calendar year;

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AND THAT the CEO be delegated authority during the months of September, October and November during an election year where quorum is not met three days in advance;

AND THAT the Administrative By-Law be updated to include Section 21 providing for this authority;

AND FURTHER THAT any exercise of the authorities delegated to staff through this report will be reported back to the next available meeting.

RATIONALE

The typical Executive Committee and Board of Directors schedule does not include meetings following the meeting in June to the meeting in September for a “summer recess”. During this period, there may be sensitive procurements that would need to move forward to align with project timelines/workbacks. There may also be unexpected work requests from partners that TRCA would need to respond to on an urgent basis. As a result, during the summer recess, the CEO was granted delegated authority to approve, grant or authorize all activities in connection with acquisition of goods and services and permit approvals that would otherwise require Executive Committee or Board of Directors approval.

This year there were no meetings between June 21, 2024 and September 13, 2024. During this time, TRCA staff proceeded with time sensitive procurements and permits during the summer recess to ensure business continuity during the summer months and to prevent interruptions of project delivery and/or avoid unnecessary costs. The following chart outlines the status of all procurements and permits approved since the June 21, 2024 Board of Directors meeting. Not all procurements or permits previously identified proceeded, and as a result if these procurements move forward at a later date, they will follow the regular approval process. It should also be noted that there were no unexpected procurements that required consideration for delegated authority approval.

In the chart below, the procurements and permits approved are outlined:

Permit Condition	Proposal	Condition	Rationale	Staff Lead
None.				

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Project	Description	Type of Goods/ Services	Type of Procurement	Value of Procurement	Staff Lead
Cudmore Creek Wetland and Trailhead Project	<p>To meet the City of Toronto's milestones and reach substantial completion by December 2024, a new RFT was released for the scope, which Collaborative Structures Limited (CSL) can no longer fulfill.</p> <p>Delivered in partnership with City of Toronto.</p>	Additional scope includes the fabrication and installation of two look- out and one foot bridge.	Competitive Tender	<p>All required funding to support the project is approved by the City of Toronto and will be transferred to TRCA via Letter Agreement.</p> <p>Lowest tender bid was Pine Valley Corporation (Pine) at a value of \$488,521.69 plus HST.</p> <p>Total value of the Letter Agreement is: \$2,099,945.65.</p>	<p>Lisa Turnbull, Associate Director, Restoration and Infrastructure</p> <p>(416) 451-8536</p>
Beverly Acres German Mills Creek Erosion Control Project	TRCA Erosion Risk Management and York Region Public Works have jointly initiated the Beverly Acres German Mills Creek Erosion Control Project under a Schedule 'B' Municipal Class EA to rehabilitate the erosion control	Additional scope includes the development of a new hybrid alternative solution for the Municipal Class EA; conducting three additional meetings with the Project Team and regulatory agencies to discuss the new solution and technical requirements; and conducting 10 additional private	Competitive Tender	<p>The lowest tender bidder was Aquafor Beech Limited (ABL) at a value of \$27,870.75 plus HST.</p> <p>Total Contract value: \$274,322.75.</p> <p>Funds for the contract are identified in the 2024 York Region capital</p>	David Gingerich, Associate Director, Restoration and Infrastructure (365) 566-2445

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	system for infrastructure protection and restore the channel.	landowner meetings to discuss the project impacts.		funding under the Streambank Infrastructure Erosion Control Management Program of the Erosion Risk Management Business Unit.	
Change Order for the SWP Brimley Road South Multi-use Trail Project	Approval of change order is required to complete the design exercise as quickly as possible in order to advance commencement of construction phase which is a City priority.	Addresses new scope of work requested by City of Toronto and TRCA for the Brimley Road South Multi-Use Trail Project, including a final report updates and design revisions to resolve drainage review comments from City ECS staff; memo to TTC outlining impacts to operations during and post-construction; additional private property plans, and associated landscape design updates, for new rear access accommodation requests; additional property plans supporting on-going City-led expropriation discussions; additional hydrogeology field work, lab analysis	Competitive Tender	Egis Canada Ltd. quoted new scope of work to be \$101,560.19 which is to be approved through a change order under contract 10034734. Total contract value: \$549,715.59	Lisa Turnbull, Associate Director, Restoration and Infrastructure (416) 451-8536

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		and report revisions; and Additional time, effort and field work to address new comments and requests from City Asset Management and Solid Waste Management staff at the 90% design stage.			
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Relationship to TRCA's 2023-2034 Strategic Plan

This report supports the following Pillars and Outcomes set forth in TRCA's 2023-2034 Strategic Plan:

Pillar 4 Service Excellence:

4.2 Provide and manage an efficient and adaptable organization

Pillar 4 Service Excellence:

4.4 Transparent decision making and accountable results

FINANCIAL DETAILS

The following outlines the financial considerations for the procurements awarded:

Cudmore Creek Wetland and Trailhead Project

- Fully recoverable under letter agreement with the City of Toronto.
Funds tracked in account: 117-01

Beverley Acres German Mills Creek Erosion Control Project

- Up to 40 percent of expenses under this contract will be recovered through federal grant funding under DMAF. Funds tracked in account: 189-03.

Change Order for the SWP Brimley Road South Multi-use Trail Project

- Any residual funds will be reallocated to support the associated expropriation process being undertaken by the City. Funds tracked in account: 204-17

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Report prepared by: Joanne Hyde, Clerk and Manager, Policy

Email: joanne.hyde@trca.ca

For Information contact: John MacKenzie, (416) 667-6290

Email: john.mackenzie@trca.ca

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