



MEMORANDUM

To: Mayor and Members of Council

From: Commissioner, Arvin Prasad

Prepared by: Richard Fournier, Manager, Planning & Urban Design – Parks Development

Date: March 1, 2021

Re: Box Grove Community Park Additional Funding Required

RECOMMENDATION:

1. THAT the memorandum dated March 1, 2021 to General Committee, titled “Box Grove Community Park Additional Funding Required” be received;

BACKGROUND:

Box Grove Community Park is a high priority project that has been identified since 2013. Staff is trying to ensure that this community park is delivered by the end of 2021. Staff has completed consultant and contractor pre-qualifications, awarded a consultant and a contractor and has mobilized and began construction of this park. The current schedule is to achieve the completion of this park by Q4 2021.

In late March 2020, City staff released a tender for construction of the Box Grove Community Park project to three (3) prequalified contractors. The lowest bidder was Rutherford Contracting who provided a bid of \$6,799,896.08 (inclusive of contingency, HST impact, internal management fees and TRCA allowance). Initially approved funding for this project was \$12,773,296.50 and \$5,973,400 was returned to its original funding source following the award of the tender.

Over the past months, during construction, a number of challenges have been identified which required additional funding in a time-sensitive manner to ensure this project remained mobilized without delay claims and that it remain on schedule for the proposed Q4 2021 completion.

The three drivers requiring additional funding of \$1,470,954 are: a) unanticipated costs related to a Toronto Regional Conservation Authority (TRCA) Permit (\$780,521); b) Costs Related to an error in consulting estimate regarding earthworks (\$645,399) and; c) York Region Road Access Permit consultant design fees (\$45,034).

UNANTICIPATED TRCA COSTS

The unanticipated costs for the works required to obtain the TRCA Permit result from a request by the TRCA for additional Storm Water Management (SWM) features that were not identified in pre-application reviews prior to tendering. Upon receiving these unexpected comments, many meetings were held between Parks Development, Engineering and the TRCA to understand, reduce and minimize the requested SWM features and to ensure that the requests were within the jurisdiction of the TRCA. Through further consultation with Environmental Engineering staff, it has been confirmed that the requirements identified by the TRCA are appropriate and required.

CONSULTING ESTIMATE ERROR

NAK Design Strategies were awarded as the prime Landscape Architect consultant in November 2019 with the full understanding that a compressed timeline was required to achieve the delivery of this park project by end of 2021. Expedited project timelines pose a risk during the design development and tendering of a project. The resulting error was an incorrect cost estimate that was provided as an allowance for the removal of fill materials off site. The value that NAK provided the City was \$200,000, however, the final amount was significantly more despite retaining as much of the fill on site as possible.

YORK REGION ROAD ACCESS PERMIT CONSULTING FEES

Following the award of tender, Rutherford Contracting submitted a permit application to York Region for a road access off of the Box Grove By-Pass, which was to form part of the construction of this park project. Park Development staff had initially engaged York Region in 2016 and considered the latest design for road access to be acceptable by York Region. Once the contractor submitted the permit application, York Region rejected the design and requested additional comments be addressed through updated surveys, drawings, details and specifications. These additional comments were not expected and were not initially part of the fees for NAK Design Strategies nor WSP, the consulting Traffic Management consultant. This work is required to ensure that a road entrance is available to the parking lot planned off of Box Grove By-Pass.

CONCLUSION:

The additional funding request was approved by the CAO on February 16, 2021, to be temporarily coded to the Design Capital Contingency Account in the amount of \$1,470,954, to avoid delay claims and maintain the project schedule.

As part of the June 2021 Capital Status Update Report to General Committee, staff will recommend that additional funding in the amount of \$1,470,954 be transferred to the Box Grove Community Park project, to be funded as follows: \$1,323,858.60 or 90% from the DC Reserves and \$147,095.40 or 10% from Parks Cash-in-Lieu.