

**Scarborough Civic Centre Green – Approval to Increase  
Award for Construction Contract – Aquicon  
Construction**

<b>Date:</b>	November 23, 2015
<b>To:</b>	Toronto Public Library Board
<b>From:</b>	City Librarian

**SUMMARY**

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The purpose of this report is to seek Toronto Public Library Board approval for an increase to the award to Aquicon Construction totalling \$1,006,817 for construction work to undertake the Scarborough Civic Green project adjacent to the Scarborough Civic Centre Branch. The project is funded by the City Planning Division's capital budget and work by Aquicon has commenced.

The Scarborough Civic Green project is part of the Scarborough Centre Public Space and Streetscape Master Plan adopted by Council in July 11, 2012. The 2015 approved capital budget for the City Planning Division includes funding in the amount of \$1,006,817 for the Scarborough Civic Green project. The funding will remain in the City Planning Division's capital budget and the Library will invoice City Planning for the design and construction costs, and project management fees.

This report provides information about the roles and responsibilities of the Library to manage the project and the roles and responsibilities of City of Toronto to finance and approve design and all construction elements.

**RECOMMENDATIONS**

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**The City Librarian recommends that the Toronto Public Library Board:**

1. approves a \$1,006,817 [excluding Harmonized Sales Tax (HST)] increase to the award to Aquicon Construction for the Scarborough Civic Centre Branch to fund the building of the Scarborough Civic Green project, funded from the City Planning Division's capital budget; and
2. authorizes and directs staff to take the necessary action to give effect thereto.

## FINANCIAL IMPACT

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The total cost of the project, funded by the City Planning Division's capital budget, is \$1,553,500 and includes:

Construction	Aquicon Construction	1,323,488
Design	LG/Phillip H Carter	200,000
Project Management fees	Toronto Public Library	<u>30,011</u>
		<u>1,553,500</u>

To date, the design work at a cost of \$200,000 and preliminary construction work at a cost of \$247,724 have been completed, with the remaining construction work of \$1,006,817 being recommended for award.

Toronto Public Library project management fees are approximately \$30,011. The revenue from project management fees collected by the Toronto Public Library will be credited to the Scarborough Civic Centre Branch capital project.

The Director, Finance and Treasurer has reviewed this financial impact statement and is in agreement with it.

## DECISION HISTORY

In December 2009, the Library Board awarded the contract for architectural services for the Scarborough Civic Centre Branch to LGA/Phillip Carter Architect.

In July 2012, City Council approved the Scarborough Centre – Public Space and Streetscape Master Plan (Civic and Commercial Precincts) – Consultant's Report. The report included a recommendation for a "...redesign of the Civic Green (Ceremonial Plaza)..." No funding was approved at that time.

In February 2013, the Library Board awarded the construction contract for Scarborough Civic Centre Branch to Aquicon Construction. The report to the Board included comments about future potential enhancements to support the Scarborough Centre – Public Space and Streetscape Master Plan. The report indicated that further information would be presented to the Board if funding were to become available.

At the April 28, 2014 meeting, the Library Board approved the following motion in anticipation of Council approving capital funding for the Civic Green:

*approves further additional commitment increases for the Scarborough Civic Centre Civic Green project, funded from the City capital budgets, subject to City Council approval of the re-allocation of capital project funds, for an increase to the award for architectural services to LGA Partners & Phillip H Carter*

*Architects in Joint Venture by an amount of up to \$200,000, for a total award of up to \$765,737.54 HST.*

At the June 10, 2014 Council meeting, the following motion was approved:

*That City Council increase the 2014 - 2023 Capital Budget and Plan for City Planning by \$1 million in 2014 cash flow for the completion of the Scarborough Civic Centre Civic Green project, fully funded from contributions from reserve funds of \$538,000 (Public Realm Reserve Fund XR1410) and \$462,000 (Civic Improvement DC Reserve Fund XR2121).*

## **ISSUE BACKGROUND**

Following the approval of the Scarborough Centre – Public Space and Streetscape Master Plan (Civic and Commercial Precincts), the City Planning Division approached the Library with a plan to incorporate the design and construction of the Civic Green project into the Library project to construct the Scarborough Civic Centre Branch. The Civic Green project is located immediately to the west of the library on Toronto District School Board land. City Planning indicated that the Civic Green project was one of three priority projects and should be undertaken simultaneous with the construction of the new library. The redesigned space would create a better relationship between the Civic Centre building and the new library's west façade. At the time, it was estimated that the Civic Green project would cost approximately \$1.2 million.

At the April 28, 2014 meeting, the Library Board agreed to extend commitments to LGA & Phillip H Carter Architects by \$200,000 for design work on the Civic Green pending funding approval by Council. This would allow design and development, and construction work to occur during the construction of the Scarborough Civic Centre. The advantage to consolidating the Civic Green project with the Library project is greater efficiency in the design process and more timely construction. In June 2014, Council approved \$1 million in capital funding for the Civic Green project.

Following approval of the Council motion, LGA & Phillip H Carter Architects completed the preliminary design and development for the Civic Green. As mentioned, it was hoped that the construction work on the Civic Green could be completed at the same time as the library. Aquicon was requested to submit an estimate for the construction of the Civic Green project because they are the general contractor for the library building. Given that two general contractors cannot occupy the same construction site at the same time, Aquicon would be required to complete the work on the Civic Green if construction of the two projects were to occur simultaneously. It was also felt that having a single contractor responsible for both projects would both speed up construction and be more cost effective. Further, if work on the Civic Green project is not undertaken by Aquicon, a subsequent construction company would be required to reconstruct work completed by Aquicon. Consequently, the project would be more costly overall.

Both City Planning and the Toronto District School Board required a number of design changes to the preliminary plan. These design changes were extensive and included additional building elements resulting in additional construction costs. When the finalized designs were fully costed by Aquicon, a change order was submitted to City Planning. Following a full review and explanation of the additional costs, City Planning issued a letter dated October 19, 2015 authorizing approval of the construction change order for Aquicon. Following approval of the change order by City Planning, Aquicon began construction on the Civic Green.

City Planning has committed to funding the total cost of the project at the revised value. A Memorandum of Understanding (MOU) between the City and the Library will be completed and include the terms and conditions of the project, including that the project costs will be funded by the City of Toronto.

## **COMMENTS**

Some construction work on the Civic Green has been completed and was necessary in order to lower the water main and to prepare the site for final construction. The final phase of construction has now begun in order to complete the majority of the work prior to the onset of winter weather. It is important that the work proceed quickly given that the existing site is susceptible to erosion over the winter. Substantially completing the construction work will avoid the risk of site deterioration that would ultimately result in increased costs. Furthermore, the work is needed to complete construction and finalize the site in its permanent state.

## **Roles and Responsibilities of the Library and the City**

The Library's role in the Civic Green project is to facilitate construction by acting as the project manager on behalf of the City. The Library is charging the City project management fees for this work since library staff have done extensive work on behalf of the City. Since this is a City Planning Division project in partnership with the Toronto District School Board, they are responsible for all design and development decisions. The MOU from City Planning will confirm that City Planning is funding all costs of design and construction as outlined in the change order for the Civic Green project, including project management fees paid to the Library. All further changes to the design require written approval from City Planning. While the Library will initially pay the construction contractor, the City will reimburse the Library.

It is also worth noting that since the land for the Civic Green is owned by the school board, they will be responsible for all maintenance. There will be no additional operating expenses incurred by the Library once the project is complete.

## **CONCLUSION**

It is recommended that the Board approve increases to the Aquicon construction contract for the Scarborough Civic Centre Branch to fund the building of the Scarborough Civic

Green. The Library has received assurances from the City that the funding is in place for the construction of the Civic Green and once complete, the landscaping for the area adjacent to Scarborough Civic Centre Branch will be finalized.

## **CONTACT**

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## **SIGNATURE**

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Vickery Bowles  
City Librarian