

## Committee of the Whole (1) Report

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**DATE:** Tuesday, November 22, 2022

**WARD:** 5

**TITLE: PROMENADE CENTRE URBAN DESIGN AND PUBLIC REALM  
STUDY – SINGLE SOURCE PROCUREMENT**

**FROM:**

Haiqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To request Council approval of Single Source Procurement of the Promenade Centre Urban Design and Public Realm Study with the budget of \$119,975, to facilitate the hiring of Brook McIlroy to prepare the Study within budget and a shortened timeframe.

**Report Highlights**

- The Urban Design and Public Realm Study provides the necessary framework to guide public and private realm development for the Promenade Centre Study Area, ensuring that development applications are in keeping with the vision of the urban design policies and principles established in the Promenade Centre Secondary Plan.
- Single sourcing the study to the same consultant as the Secondary Plan would substantially save time, costs and resources for the City.
- The cost of the required study work scope exceeds the Single Source procurement threshold limit of \$100,000. An approval is requested for \$119,975.

**Recommendations**

1. That the Single Source Procurement that exceeds the prescribed upset limit of \$100,000, currently granted under the authority of the City Manager to the amount of \$119,975, be approved; and

2. That the Deputy City Manager, Planning and Growth Management be authorized to negotiate and enter into any agreements that may be required to give effect to Recommendation 1 on terms and conditions satisfactory to Procurement Services and the City Solicitor.

## **Background**

Following the recent Council adoption of the Promenade Centre Secondary Plan, the City is expecting a number of development applications to be submitted within the Promenade Center very shortly. To assist staff in the review and processing of these development applications, the establishment of an Urban Design and Public Realm framework is necessary to guide these development approvals.

The Urban Design and Public Realm Study will develop a design framework and guidelines for built form and public realm. It is envisioned as a reference guideline document for the City and developers to guide public and private realm development for the Study Area. The Guidelines are necessary to ensure that development applications are in keeping with the vision of the urban design policies established in the Promenade Centre Secondary Plan.

To undertake this Study, the typical procurement timeline to evaluate, select, and hire a qualified consultant through a competitive Request for Proposal (RFP) process is about 6 months. Once the new consultant has been retained, the timeline to establish a framework study and guidelines is another 1 to 2 years. This timeline is too lengthy to facilitate the urgent need of the City to review and process development applications in a timely manner. To expedite the process and reduce costs, staff is seeking the option of a Single Source Procurement to hire the consultant who is already working on the Secondary Plan. The Single Source Procurement requires alternate approval process as prescribed by City's Procurement Policy.

Under Section 4.2 of the City's Procurement Policy (PS-003), a non-competitive procurement process such as Single Sourcing can be considered if one source is recommended due to specified predetermined and approved specifications.

Section 4.2.4 further indicates that Single Source procurement can be conducted "if the goods, services and/or construction are available from more than one source, but there are valid and sufficient reasons for selecting one vendor in particular", including following reasons:

- f) the ability of a specific vendor to deliver within the requested timeframe; or

h) the required goods, services and/or construction are to be supplied by a particular vendor(s) having special knowledge, skills, expertise or experience.

In addition, “the City Manager will approve the *Sole & Single Source Purchase Approval Form* if the value of the Sole & Source procurement is greater than \$50,000 in accordance with Section 6 of the Corporate Procurement Policy.” (Summary Chart below). In cases where the procurement is over \$100,000, Council approval is required.

## 6. Summary – Award Authority and Method

| Authority to Award                                                                                                                                                                                                                               | Type of Procurement                       | Value (Taxes not included) | Procurement Process   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|----------------------------|-----------------------|
| *Note: Non-competitive processes should be the exception, not the rule. Competitive procurements should still be used where available. Non-competitive processes are to be used only in the circumstances outlined in Section 4.2 of the Policy. |                                           |                            |                       |
| City Manager                                                                                                                                                                                                                                     | Competitive Procurements                  | >\$500,000                 | Request for Proposals |
|                                                                                                                                                                                                                                                  |                                           | >\$500,000                 | Request for Tenders   |
|                                                                                                                                                                                                                                                  | Sole Sourced contract                     | >\$50,000                  | Purchase Order        |
|                                                                                                                                                                                                                                                  | Single Sourced contract                   | \$50,001 - \$100,000       |                       |
|                                                                                                                                                                                                                                                  | Emergency Procurement (See Section 4.2.9) | Unlimited                  |                       |
| Deputy City Manager and Chief of Office                                                                                                                                                                                                          | Competitive Procurements                  | \$100,001 - \$500,000      | RFT, RFP, RFQ, VOR    |
|                                                                                                                                                                                                                                                  | Single or Sole Sourced contract           | ≤\$50,000                  | Purchase Order        |
|                                                                                                                                                                                                                                                  | Emergency Procurement                     | \$25,001 - \$100,000       |                       |

## Previous Reports/Authority

N/A

## Analysis and Options

Brook McIlroy was the urban design consultant retained for the Promenade Centre Secondary Plan. They are a multi-disciplinary consulting firm with the full capacity and expertise to undertake comprehensive urban design and public realm studies. As such, it would be advantageous and beneficial for the City to single source the study to the same consultant as the Secondary Plan. This will half the project timeline to allow the

City to get ahead of developments with the approved guidelines. Also, there will be no requirement for Brook McIlroy to conduct a background study or analysis as they are already familiar with the area context and all the background studies and policies. Furthermore, Brook McIlroy has well-established working relationships with all the current stakeholders through the Secondary Plan project which will help expedite the stakeholder outreach and engagement process.

Further, staff has performed due diligence by exploring price and scope negotiations with the selected vendor, Brook McIlroy. The result was the reduced price of \$119,975 from the initial estimate of \$220,301, a shortened project timeline, and a more focused workplan. This would eliminate the need for extensive background research and stakeholder outreach that would have been necessary with a new consultant. The reduced-price fits well within the budget of \$174,000 that has been approved for the 2021 capital project plan.

In summary, the above rationale and those identified in the Procurement Policy provide sufficient justification that Single Source Procurement for the amount \$119,975 is the most beneficial, advantageous and efficient option for the City.

The increased amount of \$119,975 is a one-time request, applicable to the Promenade Centre Urban Design and Public Realm Study. The authority to proceed with this Single Source Procurement will expedite the completion of the study resulting in improved efficiency and effectiveness in the processing of development applications within the Promenade Centre.

### **Financial Impact**

This is a capital project with an approved budget of \$174,000 in 2021. The requested authority to proceed with Single Source Procurement will not change the existing budget or have future financial impact.

### **Broader Regional Impacts/Considerations**

N/A

### **Conclusion**

Council approval of the recommendations will improve the administration, financial responsibility and timely implementation of the Promenade Centre Urban Design and Public Realm Study through a Single Source Procurement:

1. Approved Single Source Procurement of \$119,975.

2. Executed Single Source Consulting Agreement satisfactory to Procurement Services and City Solicitor.

**For more information**, please contact: Shirley Marsh, Project Manager Urban Design, [Shirley.marsh@vaughan.ca](mailto:Shirley.marsh@vaughan.ca)

### **Attachments**

1. Promenade Centre Urban Design and Public Realm Framework.
2. Corporate Procurement Policy.

### **Prepared by**

Shirley Marsh, Urban Design Project Manager  
Shahrazad Davoudi-Strike, Manager of Urban Design and Cultural Heritage

### **Approved by**



Haiqing Xu, Deputy City Manager,  
Planning and Growth Management

### **Reviewed by**



Nick Spensieri, City Manager