

THE CORPORATION OF THE TOWN OF GEORGINA

COUNCIL ADDENDUM

Wednesday, November 9, 2016
7:00 PM

12. REPORTS

(2) REPORTS REQUIRING SEPARATE DISCUSSION

Report from the Recreation and Culture Department:

Pages 1-8

(H) The Link Heating, Ventilation and Air Conditioning (HVAC) Tender

Report No. RC-2016-0039

Recommendation(s):

1. That Council receive Report No. RC-2016-0039 prepared by the Cultural Services Division, Recreation and Culture Department, dated November 9, 2016, respecting The Link HVAC.
2. That Council approve the up-front expenditure of \$88,850 (excluding HST) to complete HVAC trunk line, controls and duct distribution for Hub Spaces A-D, to be added to the internal borrowings from reserves.
3. That Council approve recovering tenant costs of \$52,225 (excluding HST) as a prorated fee applied to their monthly licence fee.
4. That Council award the contract for HVAC work for Hub Spaces A-D to Canada Tech Air Systems Inc. in the amount of \$88,850 (excluding HST).
5. That Council adopt a by-law authorizing the Mayor and Clerk to execute the necessary documents.
6. That Council approve the use of Program Room 2 as the temporary location for the Chamber of Commerce for a monthly fee of \$500 plus applicable taxes and direct staff to bring forward a lease agreement for the period January 1 to April 1, 2017.

Reports from the Administrative Services Department:

Pages 9-10

(I) Regional Councillor Seat Vacancy

Report No. DAS-2016-0059

Recommendation(s):

1. That Council receive Report No. DAS-2016-0059, prepared by the Department of Administrative Services, Clerk's Division, dated November 9, 2016 regarding the declaration of vacancy of the Town of Georgina Regional Councillor seat.
2. That pursuant to Section 262(1) of the Municipal Act, 2001, S.O. 2001 c.25 (the "Act"), the Council of the Corporation of the Town of Georgina hereby declares the office of Regional Councillor to be vacant and directs the Clerk to notify the York Region Clerk of the vacancy.

18. CLOSED SESSION

- (1) Motion to move into closed session of Council

(9:00 p.m.)

- A) **PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES, SECTION 239 (2) (b), MA**
-and-
LABOUR RELATIONS OR EMPLOYEE NEGOTIATIONS; SECTION 239 (2) (d), MA
-and-
ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE; SECTION 239 (2) (f), MA

- Discussion of a Personnel Matter, Continuation from the November 2nd Closed Session Meeting

THE CORPORATION OF THE TOWN OF GEORGINA**REPORT NO. RC-2016-0039****FOR THE CONSIDERATION OF
COUNCIL
NOVEMBER 9, 2016****SUBJECT: THE LINK HEATING, VENTILATION AND AIR CONDITIONING (HVAC)
TENDER**

1. RECOMMENDATION:

1. That Council receive Report No. RC-2016-0039 prepared by the Cultural Services Division, Recreation and Culture Department, dated November 9, 2016, respecting The Link HVAC.
2. That Council approve the up-front expenditure of \$88,850 (excluding HST) to complete HVAC trunk line, controls and duct distribution for Hub Spaces A-D, to be added to the internal borrowings from reserves.
3. That Council approve recovering tenant costs of \$52,225 (excluding HST) as a prorated fee applied to their monthly licence fee.
4. That Council award the contract for HVAC work for Hub Spaces A-D to Canada Tech Air Systems Inc. in the amount of \$88,850 (excluding HST).
5. That Council adopt a by-law authorizing the Mayor and Clerk to execute the necessary documents.
6. That Council approve the use of Program Room 2 as the temporary location for the Chamber of Commerce for a monthly fee of \$500 plus applicable taxes and direct staff to bring forward a lease agreement for the period January 1 to April 1, 2017.

2. PURPOSE:

The purpose of this report is to seek Council approval to award the HVAC work for Hub Spaces A-D to Canada Tech Air Systems Inc., and for the Chamber of Commerce to use Program Room 2 as their temporary location, beginning on January 1, 2017 and ending no later than April 1, 2017.

3. BACKGROUND:

Request for Tender (RFT) RC-2016-0059 to Supply and Install HVAC at The Link (in the Food Pantry, Hub Spaces A-D and the Phase 2 corridor) was released to the public on August 30, 2016. A mandatory site visit occurred on September 7, 2016, and the RFT closed on September 22, 2016. Submissions were to be evaluated and the contract awarded soon thereafter, and construction was to begin in November with an anticipated completion date of November 25, 2016.

One bid was received, which was over the anticipated budget based on the expertise of the consulting engineer who designed the HVAC drawings and prepared the building permit application.

Given the difference between the anticipated budget and the price schedule received, staff met with the bidder on two occasions to discuss the details of the bid, how the price schedule was put together, and to negotiate cost savings.

On Friday, November 4, staff received the contractor's revised budget as detailed below.

4. ANALYSIS:**HVAC:**

The following table is a summary of the available budget, the contractor's original tender price, the contractor's revised price, and the difference between the available budget and the revised bid:

SPACE	BUDGET ALLOTMENT/ COUNCIL APPROVAL	CONTRACTOR'S BID (excluding HST)	CONTRACTOR'S REVISED BID (excluding HST)	DIFFERENCE (amount over budget)
Food Pantry	\$0 (On July 13, Council passed Resolution RC-2016-0388 stating that the Town would pay for the duct distribution work with the understanding that the Food Pantry would repay the Town over 9 years; an exact amount was not included in the resolution as the amount was to be determined after Tender submissions were received)	\$54,814	\$36,834	\$36,834
Hub Spaces A-D	\$36,625 (Council Resolution RC-2016-0388 approved \$56,925 (excluding HST) for HVAC design, trunk line,	\$88,850	\$80,400	\$43,775

	controls and duct distribution for Hub Spaces A-D, new entrance to Hub Space B and wall separation between A and B: <ul style="list-style-type: none"> • HVAC \$36,625 • Design \$5,300 • Door \$1,000 • Wall Separation \$11,000 Council also approved recovering tenant costs of approximately \$26,914 (excluding HST) as a prorated fee applied to their monthly licence fee.			
Phase 2 Corridor	\$100,000 (2016 budget allotment for HVAC design, and installation) Note: \$15,000 was also earmarked for renovations to Program Room 2	\$137,700	\$134,200	\$34,200
TOTAL	\$136,625	\$281,364	\$251,434	\$114,809

Although the revised Tender price is \$29,930 below the original bid, the gap between the available budget and the revised price remains very high, at \$114,809. As such, staff has identified the following options:

- i. Cancel the bid and release a second Request for Tender. The Town may receive additional competitive bids that are closer to the allotted budget, but it is also possible that no additional bids will be received, or that they would be any lower than the one already received;
- ii. Do not re-tender, but instead, collaborate with tenants to obtain estimates for their respective spaces. For invoicing purposes, the Town would pay the upfront cost and tenants would reimburse the Town their proportionate share of the expense. Ideally, the work would be done less expensively this way, but there are no guarantees. Based on the estimates received, the proportionate share would be determined at a later date.
- iii. Because Routes, Chamber of Commerce and Hospice Georgina are prepared to undertake tenant improvements as soon as the HVAC is complete, the work in these locations could be awarded now, and the Phase 2 corridor and Food Pantry HVAC re-tendered at a later date. This would permit these tenants to move in as soon as possible, and allow the Town to begin to recover costs through monthly license fees. It is possible that if the Town awards only a portion of the contract, the contractor would retract the revised price of \$80,400 and revert to the original tender price of \$88,850, in which case an additional \$52,225 would be required. Staff believe this is the best option available and recommend that Council approve awarding the contract for this work.

The following table is a summary of the costs for completing Hub Spaces A-D and the proportionate share of each tenant:

Work to be Completed	Cost (excluding HST)	Proportionate Share
Mechanical design for Hub Spaces A-D by Cole Engineering	\$5,300	To be shared proportionally among the Town and each tenant as follows: Town - \$1,378 Hub Space D tenant (TBD) - \$1,166 Hospice - \$1,219 Chamber - \$636 Routes - \$901
HVAC trunk line and controls for Hub Spaces A-D; duct distribution	\$88,850	Town - \$36,625 Hub Space D tenant (TBD) - \$6,789.25 Hospice - \$12,011.75 Chamber - \$6,267 Routes - \$8,878.25
TOTALS:		
<ul style="list-style-type: none"> • Town's up-front cost of \$88,850 (plus HST) to be added to internal borrowings and to be paid back at approximately \$9,000 over ten years • Amount to be recovered by Town from Hub Space A-D tenants as a prorated fee applied to their monthly licence fee: \$52,225 		

Chamber of Commerce:

The Chamber of Commerce's lease agreement for their Keswick location expires January 1, 2017. It is unlikely that the HVAC will be complete before this date, and so the Chamber is seeking a temporary office space in The Link until the base building work is done and they can undertake tenant improvements. Staff is currently seeking quotes from contractors to renovate Classroom 6 in order to accommodate the Chamber (see Attachment 1). Approximately \$15,000 is available in the 2016 budget for the renovations.

Staff recommends that Council approves the use of Classroom 6 as the Chamber's temporary office for a period of no more than four months, from January 1 to April 1, 2017, and that staff prepares a short-term license agreement detailing the nature of the arrangement. Staff further recommend that the Chamber pay a monthly license fee of \$500 plus applicable taxes for use of the temporary office space.

The Chamber has requested that they are allowed to relocate some of their belongings to The Link prior to the commencement of their temporary license agreement.

Additionally, the Chamber has asked for approximately 150 square feet of storage space in phase 2 for the foreseeable future at no additional cost.

Finally, the Chamber has requested that the Town guarantee a loan from South Lake Community Futures Development Corporation in the amount of \$60,000 (Attachment 2). These funds are to be used to complete their tenant improvements.

5. FINANCIAL AND BUDGETARY IMPACT:

Staff recommend that the Town's up-front cost of \$88,850 (plus HST) is added to internal borrowings and paid back at approximately \$9,000 annually over ten years. The amount to be recovered by Town from Hub Space A-D tenants as a prorated fee applied to their monthly licence fee is \$52,225.

The cost of renovating Program Room 2 is approximately \$15,000 and is included in the 2016 budget.

Staff recommends that the Chamber of Commerce pay a monthly fee of \$500 plus applicable taxes from January to April, 2017.

6. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:

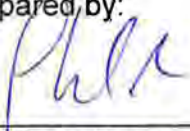
This report is available on the Town's website and upon request from the Town Clerk. Any related financial implications will be detailed in the Town's publicly advertised budget.

7. CONCLUSION:

Staff recommend the following:

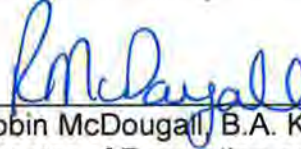
- That Council approve the up-front expenditure of \$88,850 (excluding HST) to complete HVAC trunk line, controls and duct distribution for Hub Spaces A-D, to be added to the internal borrowings from reserves;
- That Council approve recovering tenant costs of \$52,225 (excluding HST) as a prorated fee applied to their monthly licence fee;
- That Council award the contract for HVAC work for Hub Spaces A-D to Canada Tech Air Systems Inc. in the amount of \$88,850 (excluding HST);
- That Council adopt a by-law authorizing the Mayor and Clerk to execute the necessary documents; and
- That Council approve the use of Program Room 2 as the temporary location for the Chamber of Commerce for a monthly fee of \$500 plus applicable taxes and direct staff to bring forward a lease agreement for the period January 1 to April 1, 2017.

Prepared by:



Phil Rose-Donahoe, B.A. Hons., MMSt
Manager of Cultural Services

Recommended by:



Robin McDougall, B.A. KINE, DPA
Director of Recreation and Culture

Recommended by:

Dan Pisani, P. Eng.
Director of Operations and Infrastructure

Approved by:

Winanne Grant, B.A., AMCT, CEMC
Chief Administrative Officer

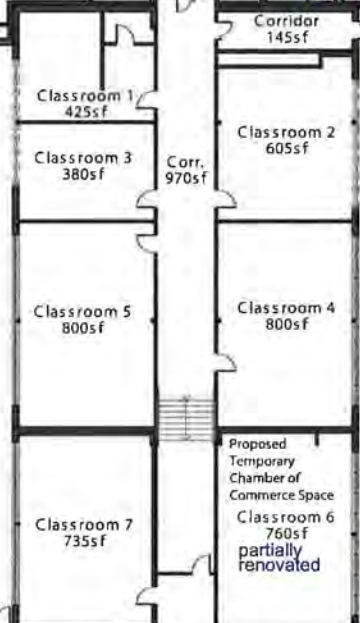
Attachment 1 – The Link Floor Plan
Attachment 2 – Letter from Chamber of Commerce requesting the Town guarantee a loan from South Lake Community Futures Development Corporation



Phase 3

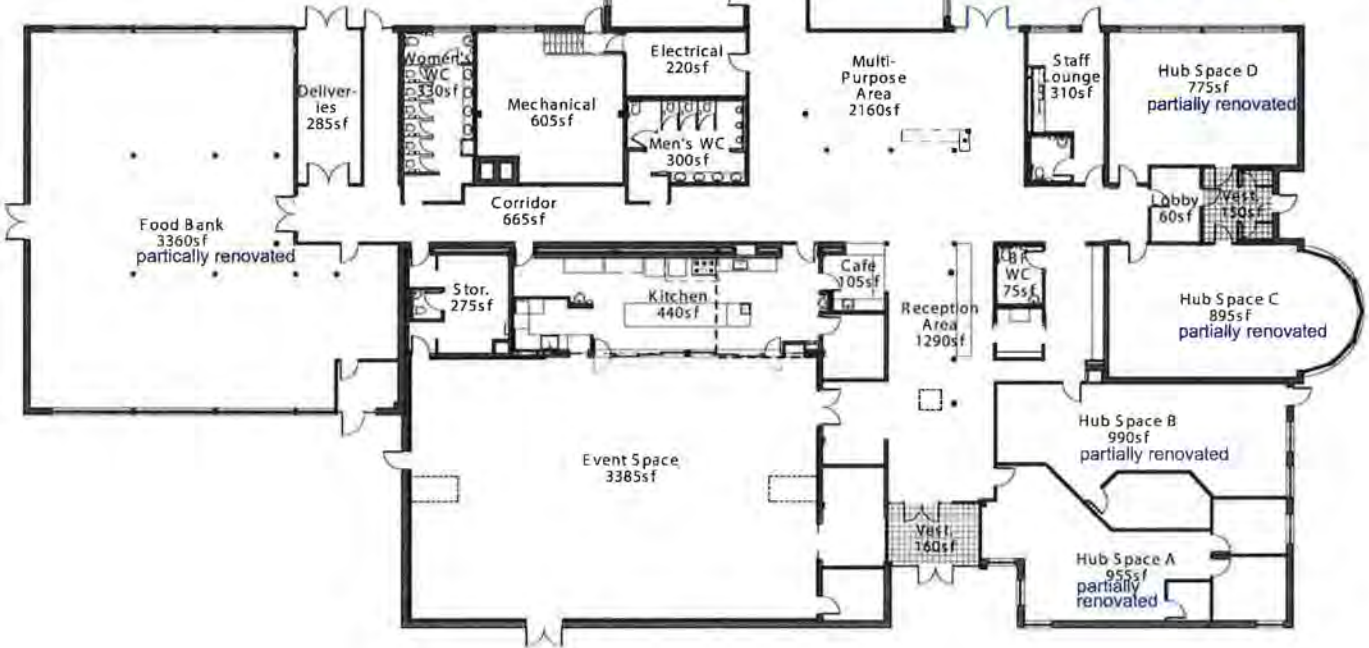
Occupancy:

- Hub Space A: Routes Connecting Communities
- Hub Space B: Georgina Chamber of Commerce
- Hub Space C: Hospice Georgina
- Hub Space D: Vacant
- Kitchen: GTTI & Town of Georgina
- Classroom 7: Meeting Rm. 1 (Common Space)
- Classroom 6: Meeting Rm. 2 (Common Space)
- Studio 1: Memme Construction
- Classroom 5: Jericho Youth Services



Phase 2

Phase 1 : 19,285 sq.ft.
11,340 sq.ft. fully renovated
7,945 sq. ft. partially renovated



Tuesday, November 8, 2016

26557 Civic Centre Road
Keswick, ON
L4P 3G1

To Mayor Margaret Quirk and Members of Council:

As you know, the Georgina Chamber of Commerce is in the process of moving out of its current location on The Queensway South in Keswick to its new home at The Link in Sutton. In order to cover the cost of renovations, the Chamber is seeking a loan from Southlake Futures CFDC in the amount of \$60,000 to help with the associated costs to renovate our space and provide furniture and shelving to meet the needs of our organization.

We are kindly asking the Town of Georgina to guarantee the loan that is being requested from Southlake Futures CFDC, so we can continue our journey to The Link. The Loan will be submitted (and hopefully approved) in December, in time for us to begin construction in early 2017, once the HVAC has been completed. If this request is approved by council, we ask that a letter be prepared stating the approval so it may be accompanied with our loan request.

Our new home will feature a small conference area and desks for our business members. Shelving and displays will allow visitors easy access to information about our members and the services they provide. They will also house all kinds of tourism brochures and guides (both local and provincial). In addition, there will be an area for event listings and volunteer opportunities. We are eagerly looking forward to the completion of our space so we can truly be a source of information and resource to the residents of Georgina.

Should you have any questions, please do not hesitate to contact me. We are looking forward to completing this project and finally moving into our new home.

Sincerely,



Robin Smith
Chair, Board of Directors
Georgina Chamber of Commerce

THE CORPORATION OF THE TOWN OF GEORGINA**REPORT NO. DAS-2016-0059****FOR THE CONSIDERATION OF
COUNCIL****NOVEMBER 9, 2016****SUBJECT: REGIONAL COUNCILLOR SEAT VACANCY**

1. RECOMMENDATION:

1. That Council receive Report No. DAS-2016-0059, prepared by the Department of Administrative Services, Clerk's Division, dated November 9, 2016 regarding the declaration of vacancy of the Town of Georgina Regional Councillor seat.
2. That pursuant to Section 262(1) of the Municipal Act, 2001, S.O. 2001 c.25 (the "Act"), the Council of the Corporation of the Town of Georgina hereby declares the office of Regional Councillor to be vacant and directs the Clerk to notify the York Region Clerk of the vacancy.

2. PURPOSE:

The purpose of this Report is to provide Council with the information necessary for it to fulfil its statutory obligations regarding the vacant seat of the Regional Councillor.

3. BACKGROUND:

The seat of Regional Councillor became vacant on November 1, 2016, upon the untimely and unfortunate passing of Regional Councillor Danny Wheeler. The Regional Councillor seat is also a member of Town Council.

4. ANALYSIS:

Section 259(1)(h) of the Act states that the office of a member of council of a municipality becomes vacant if the member dies. However, section 269(1) of the Act states that if the office of a member of council becomes vacant as a result of the death of a member, the council must declare the seat vacant at either of its next two meetings (the first meeting occurred on November 2, 2016). Therefore, Council is statutorily obligated to declare the Regional Councillor seat vacant on November 9, 2016.

5. FINANCIAL AND BUDGETARY IMPACT:

A declaration of a Regional Councillor vacancy does not result in any financial or budgetary consequences to the Town of Georgina.

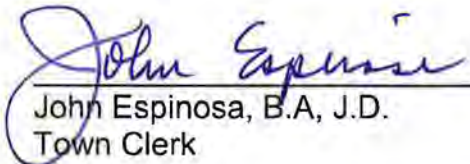
6. PUBLIC CONSULTATION AND NOTICE:

The requirement to declare a seat vacant is a statutory obligation under the Municipal Act. There is no requirement for public consultation or notice to declare a seat vacant.

7. CONCLUSION:

In accordance with the Municipal Act, Council must declare the Regional Councillor seat vacant at this meeting.


Prepared by:


John Espinosa, B.A, J.D.
Town Clerk

Recommended by:


Rebecca Mathewson, CPA, CGA
Director of Administrative Services/Treasurer

Approved by:


for Winanne Grant, B.A, AMCT, CEMC
Chief Administrative Officer