

# City of Mississauga Corporate Report



Date: March 14, 2024  To: Chair and Members of General Committee	Originator's files:
From: Jodi Robillos, Commissioner of Community Services	Meeting date: March 27, 2024

## Subject

**Single Source Contract Award for Consulting Services, Detail Design and Construction Administration of six (6) City Parks within Lakeview Village with Nak Design Strategies (NAK)**

## Recommendation

That the Chief Procurement Officer or designate be authorized to award and execute a contract with NAK Design Strategies. (NAK) for design and contract administration services for all Lakeview Village Parks in an approximate amount of \$8,908,000.00 plus a contingency of \$890,800.00 for a total approximate contract amount of \$9,798,800.00, exclusive of taxes, funded from PN 21326 – Park Development-Lakeview Village (F\_303) as detailed in the Corporate Report entitled “Single Source Contract Award for Consulting Services, Detail Design and Construction Administration of six (6) City Parks within Lakeview Village” dated March 14, 2024 from the Commissioner of Community Services.

## Executive Summary

- The Lakeview Village development aims to transform a former industrial waterfront area into a vibrant mixed-use community. The project, endorsed by Mississauga City Council, focuses on creating a sustainable urban destination with 18.50 hectares (45.73 acres) of extensive parkland and recreational facilities.
- Staff in Community Services have been working with Lakeview Community Partners (LCP) on a Design-Development Agreement which would have seen the developer procure both the design and construction of the parks within Lakeview Village timed with the overall development.
- LCP and City staff have agreed on a modified approach where the City procures the design and Lakeview completes the construction through a Development Agreement.
- NAK has played a crucial role in the project, collaborating closely & directly with the City's Parks Forestry and Environment Division under Lakeview Community Partners Limited

design team. NAK has been involved throughout the City's public engagement process from 2022 to 2023 and the establishment of the City's Final Parks Development Plan.

- Recommending a Single Source contract to NAK offers various benefits, including effective design control, reduced redundancies, and alignment with the project's budget and funding allocations. The fixed pricing structure ensures financial stability and predictability, supporting the project's successful execution.
- NAK brings comprehensive experience, a proven track record, deep familiarity with the site, and direct access to crucial background investigations and studies owned by LCPL.
- This recommendation is made in accordance with Schedule "A" of the Purchasing By-law 0013-2022 and aligns with project goals, budget considerations, and ultimately contributing to the successful realization of the Lakeview Village Parks for the community

## Background

Since the inception of the Inspiration Lakeview Master Plan led by former Councillor Jim Tovey, the Lakeview Village development has remained dedicated in its vision to transform the once-industrial Lake Ontario waterfront area dominated by the Lakeview Generating Plant of the Ontario Power Generation (OPG) into a diverse mixed-use waterfront community. In 2018, Lakeview Community Partners Limited (LCPL) acquired the 71.6 hectares (177 acres) OPG lands.

- On November 6th, 2019, Mississauga City Council fully endorsed LCPL's the Lakeview Waterfront Development Master Plan (DMP), outlining the framework for developing this 177 acre site located in Mississauga's Lakeview community.
- The Mississauga Official Plan amendments in 2021 established the Lakeview Waterfront Major Node, providing policies and a legal framework to evolve the area into a world-class urban destination waterfront community.
- The Lakeview Waterfront Development Master Plan (DMP) has been evolving since its first submission by LCPL and thorough efforts of their extensive consulting team. The Master Plan received approval at the City's Planning & Development Committee on November 8, 2021, and was officially ratified by Council on Wednesday, November 10, 2021.

The DMP establishes Lakeview Village as a vibrant waterfront destination and a model for sustainable mixed-use development. The plan features an extensive destination parks network & public realm, an interconnected network of trails, including connections to Lakefront Promenade Park and the 64-acre Jim Tovey Conservation Area. The DMP further outlines an exciting vision for 18.50 hectares (45.73 acres) of new parkland, strategically connected with a north-south central parks network that converges into a cultural hub and central recreational gathering spaces. This design is anchored by a significant waterfront park, ensuring uninterrupted public access along the waterfront, complemented by a landmark Cultural Pier extending 350 meters into Lake Ontario.

Working closely with the CMS's Parks Forestry and Environment Division and LCPL's design team, we have defined the community parkland requirements in the establishment of a comprehensive City's Final Parks Development Plan encompassing six distinct park typologies:

1. <b>WATERFRONT PARK</b> (Blocks 38, 39 and 47) 12.17ha. (30.07ac.)	2. <b>CULTURAL PIER</b> (Block 48) 0.44ha. (1.09ac.)
3. <b>OGDEN PARK</b> (Blocks 27 and 31) 2.87ha. (7.10ac.)	4. <b>WATERWAY COMMON</b> (Blocks 32, 33 and 35) 1.73ha. (4.27ac.)
5. <b>LAKEVIEW SQUARE</b> (Block 37) 0.29ha. 0.29ha. (.72ac)	6. <b>AVIATOR PARK</b> (Blocks 25, 26, 29 and 30) 1.00ha.(2.48ac.)

## Comments

In collaboration with Lakeview Community Partners Limited (LCPL) landscape architect's and NAK, the City's Parks Team successfully concluded a thorough public engagement process from 2020 to 2023. This collaborative effort, led by the City, has produced the City's Final Parks Development Plan, a comprehensive plan that addresses the subdivision's park and recreation needs, aligning with the vision of creating a unique, innovative, and exciting waterfront community that transforms this former industrial land use and provides for new connections to Lake Ontario and surrounding areas.

With the public engagement & consultation and pre-planning work in place, and the completion of the City's Final Parks Development Plan, the City is now positioned to initiate the multi-phased detailed design and construction of the parkland blocks, slated for conveyance to the City at subdivision registration. The proposed schedule entails a phased implementation over seven years, ensuring a comprehensive and thoughtful build-out that reflects the community needs. Importantly, the funding for the delivery of the City's Final Parks Development Plan has been cash flowed within the 10-year Capital Budget and Forecast.

In March 2021, an important opportunity emerged for the Lakeview Village parks project when the Federal Government announced a \$400 million National Active Transportation program (ATF) over five years. This program aimed to construct new and expanded networks of pathways, bike lanes, trails, and pedestrian bridges, aligning with the Government of Canada's goals of job creation, climate change mitigation, and building a sustainable economy.

The City submitted a strong funding application in March 2022, resulting in a substantial Infrastructure Canada (INFC) contribution of \$17,058,824.00. This funding specifically supports the Trans Canada Trail extension, a key design element of the City's Final Parks Development Plan along the waterfront of the Lakeview Village parks system. The INFC Transfer Payment

Agreement was fully executed in January 2024 and stipulates a time-sensitive completion date of March 2026.

NAK has played a pivotal role within the LCPL developer's consulting team throughout the evolution and amendments of the DMP. As a key member of the consulting team, NAK has been directly involved in preparing pre-engineering site background studies, setting the foundation for the next stage of detailed design and construction of City Parkland blocks. NAK has direct access to all LCPL's background studies and construction actions that has transformed the Lakeview Village subdivision to its current development state which encompass a range of critical aspects, including:

- Environmental Site Assessment brownfields mitigation and site risk assessment & management plans;
- Shoreline engineering, structural analysis, pier conditional analysis, slope stabilization, wind, wave and ice impacts necessary to improving shoreline hazard assessment including Credit Valley Conservation (CVC) review and approvals;
- Geotechnical investigations and structural recommendations for the City park design elements;
- Site Servicing utilities and grading requirements to ensure design elevations withstand lake water level fluctuations and optimize waterfront views;
- Electrical servicing provisions and lighting requirements to ensure full park programs and future potential event needs.

This Corporate Report seeks authority to Single Source NAK for detail design, consulting services, construction tender oversight and contract administration services to deliver the City's Final Parks Development Plan for all six Lakeview Village Parks slated for conveyance to the City at subdivision registration. The benefits to support a Single Source Contract to one consulting team for the delivery of all six Lakeview Village Parks are listed below. Through the subdivision agreement provisions will be made for LCPL to construct the park blocks as the development progresses.

NAK has provided a proposal that demonstrates they have an extensive qualified team of senior landscape architects, project managers and a diverse sub-consultant team that all have a working knowledge of both the project-related background studies and the site, necessary approvals and are well qualified to take on the full scope of required services for this project.

#### **NAK's Comprehensive Expertise and Site Knowledge:**

- NAK's consulting team possesses direct involvement and comprehensive knowledge of critical background studies owned by LCPL, environmental, soil, and risk management plans, to bring the City Parkland into environmental compliance. This eliminates the need for securing separate additional investigations or approvals beyond current property background studies and site mitigation efforts by LCPL.

- Their involvement in the project to date has equipped them with in-depth knowledge and leverages immediate access to all LCPL's procured resources of site background engineering analysis and conditions, including civil/structural engineering, servicing requirements, and incoming infrastructure. This pre-established knowledge base eliminates the need for additional, separate investigations or recommencing of the pre-engineering work in order to go to open market to hire a Consultant, leading to a significant cost savings to the City.

#### **Synergy with Developer Resources:**

- NAK'S established relationship with the developer grants them access to existing on-site construction resources, resulting in cost and time efficiencies to the City ensuring parks are delivered at the same time residences are occupied.

#### **Unified Design Contract for Efficiency:**

- Opting for a single design contract for all parks in Lakeview Village ensures effective design control and consistency across all six parks.
- NAK's role as the landscape architect for the City further facilitates coordination of the City's park landscape designs with the adjacent developer building development blocks, engineering servicing coordination & requirements, interior park spaces, landscapes and streetscapes.

#### **Efficiency and Cost Savings:**

- Consolidating work under one contract reduces redundancies and City staff time to recommence site background and investigative work that has already been prepared and is in the ownership of LCPL.
- Eliminating the need for six separate consulting park design and development contracts streamlines the process and provides economies of scale and efficiencies in design methodology to reduce redundancies.
- Aligning park development timing with development applications enhances efficiency.
- Combining the design, approvals, and construction tendering of multiple park blocks offers potential for greater economies of scale in market tender pricing through a multi-site tender approach.
- Combining the design, approvals, and construction tendering of multiple park blocks ensures control and adherence to the proposed schedule of a phased implementation over seven years in addition to importantly meeting the fixed construction completion date of March 2026 of the ATF grant for the Trans Canada Trail extension through the Lakeview Village parkland.

The City's 10-year Capital Budget and Forecast, designated for the design and construction of the six parks, is anchored on the City's Final Parks Development Plan prepared for the City by NAK. This forecast draws upon detailed construction estimates also prepared by NAK for and approved by the City. Additionally, NAK has prepared the proposed development schedule and

phasing plan, ensuring the parks' timely delivery within seven years, and aligning with the fixed March 2026 completion date for the TCT trail extension through Lakeview Village as outlined in the ATF Agreement.

NAK has proposed a fee structure equivalent to 10% of the construction costs, aligning with the City's Capital Budget & Forecast and the detailed construction estimates for the six parks as per the City's Final Parks Development Plan. This proposal represents a significant cost savings for this major multi-site park development compared to recent market trends, where park consulting services have ranged from 11% to 19.4% of project construction costs for similar singular destination park projects. The pricing structure outlined by NAK will remain fixed for the duration of the contract, extending until the completion of all park constructions and warranty periods. This ensures financial stability and predictability for the project's budget, offering assurance to all stakeholders involved and any additional potential funding investment from other third party sources.

This recommendation is in accordance with Schedule "A" of the Procurement By-law 0013-2022, item 1 c, "The Goods and/or Services are unique to one particular supplier and no reasonable alternative or substitute exists due to exclusive rights such as patent, copyright or licence".

The background studies, site and engineering investigations, and pre-approvals with the CVC are complete and under ownership of LCPL. Repeating the necessary studies and investigations to enable the City to pursue open market tender for procuring design and contract administration services for the six parks would impose considerable costs and time delays on the project, resulting in a loss of the ATF grant and inability to meet objectives to deliver the project.

## Financial Impact

The total project cost carried in the 10-Year Capital Budget and Forecast is \$107M Cash flowed from 2021 to 2030. The ATF grant provides \$17M additional funding to contribute to the \$29M Trans Canada Trail scope, which is part of the Waterfront Park Development Park Block within the City's Final Parks Development Plan.

The Total Capital Budget allocated including the ATF grant is \$124M for detail design and construction including allowances for permitting, soft costs, miscellaneous costs, staff project management administration services and value added taxes.

The chart below outlines the total estimated costs for construction and consulting design services based on the City's Final Parks Development Plan design programming of the six park typologies and their proposed phasing plans.

Park	Construction Budget	10% Consulting Fees	Phasing Start	Phasing Finish
<b>1. WATERFRONT PARK</b>	\$ 40,125,000	\$ 4,012,500	Q2-2024	Q4-2030
<b>2. CULTURAL PIER</b>	\$ 13,550,000	\$ 1,355,000	Q2-2024	Q4-2029
<b>3. OGDEN PARK</b>	\$ 10,435,000	\$ 1,043,500	Q3-2024	Q2-2027
<b>4. WATERWAY COMMON</b>	\$ 16,135,000	\$ 1,613,500	Q2-2024	Q3-2028
<b>5. LAKEVIEW SQUARE</b>	\$ 5,175,000	\$ 517,500	Q1-2025	Q4-2027
<b>6. AVIATOR PARK</b>	\$ 3,666,000	\$ 366,000	Q2-2024	Q2-2028
<b>TOTALS</b>	<b>\$ 89,086,000</b>	<b>\$ 8,908,000</b>		

The contract with NAK Design Strategies for design, consulting services, construction tender oversight and contract administration services to deliver the City's Final Parks Development Plan for all six Lakeview Village Parks slated for conveyance to the City at subdivision registration is estimated at \$8,908,000.00 plus a contingency of \$890,800.00 for a total contract amount of \$9,798,800.00, exclusive of taxes. It is recommended that the purchase order structure be established based on the consulting costs identified for each of the six park typologies and proposed timing for administrative purposes.

Current funding for the development of the Lakeview Village Parks, in the amount of \$44,236,572 is approved in PN 21326 Park Development-Lakeview Village F303 with the remainder cashflowed to 2030. Funding for this project will be drawn from PN21326.

## Conclusion

NAK has been intensively involved in various aspects of the Lakeview Village project, demonstrating comprehensive expertise and site knowledge essential for its successful execution. Their collaboration with the City's Parks Forestry and Environment Division and LCPL's design team has resulted in completion of the City Public engagement process from 2020 to 2022 to establish the City's Final Parks Development Plan, aligning with the project's vision and addressing community needs.

The proposed Single Source contract to NAK offers several compelling benefits. Supporting a single design contract for all parks ensures effective design control and consistency across the project, while also reducing redundancies and City staff time to recommence site background and investigative work that has already been prepared and is in the ownership of LCPL. The financial impact of the Single Source contract is carefully considered, with the proposed contract

amount aligning with the City's project budget and cash flowed funding allocations. The fixed pricing structure ensures financial stability and predictability for the project's budget, providing assurance to all stakeholders involved.

The justification for recommending a Single Source contract to NAK is grounded in their access to crucial background studies and site/engineering investigations, extensive expertise, site knowledge, and established track record, along with the efficiency and cost savings offered by this approach. This recommendation aligns with the ATF funding and fixed timing for completion of the Trans Canada Trail extension, the park development project's goals, budget considerations, and the procurement bylaw, ultimately contributing to the successful completion of the Lakeview Village Parks system within the seven-year project plan for completion for the Lakeview community.

## Attachments

Appendix 1: Lakeview Village Parkland Context Map

Appendix 2: City's Final Parks Development Plan – Lakeview Village Parks

Appendix 3: Lakeview Village Parks Development Scheduling and Phasing Plan



Jodi Robillos, Commissioner of Community Services

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