**Agenda – Council – September 29, 2021**

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 14, 2021**

**Item No. 7 Vulnerable Populations Public Washroom (715 Main Street) Facility Project Funding Agreement and Realignment of Capital Budgets (Point Douglas Ward)**

STANDING COMMITTEE RECOMMENDATION:

On September 21, 2021, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the following to Council:

1. That the City accept a grant from the Circle of Life Thunderbird House Whaka Pimadiziiwii Pinaysiiwigamic Inc. in the amount of $241,202 funded by The Community Foundations of Canada on behalf of the Government of Canada for the purpose of the City completing the Vulnerable Populations Public Washroom Facility Project.

2. That the City enter into, execute and deliver a funding agreement with Circle of Life Thunderbird House Whaka Pimadiziiwii Pinaysiiwigamic Inc. and such other agreements as determined necessary by the City Solicitor / Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

3. That authority be delegated to the Director of Assets and Project Management to negotiate and approve the terms and conditions of the funding agreement and the Ancillary Agreements, in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor / Director of Legal Services to protect the interest of the City.

4. That, subject to approval of Recommendation 1, the COVID-19 Community Response Fund for the Vulnerable Populations Public Washroom Facility Capital Project budget (capital project #6331004020) be increased from $818,087 to $874,289.

5. That, subject to approval of Recommendation 4, the $185,000 of previously realigned capital budgets, as identified in Appendix 2, be reversed and allocated to fund an equivalent increase to the 2021 Health/Life Safety/Emergency Systems Refurbishment/City-wide Accessibility Capital Program budget.

6. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 14, 2021**

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 21, 2021, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On September 14, 2021, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

# ADMINISTRATIVE REPORT

**Title:** Vulnerable Populations Public Washroom (715 Main Street) Facility Project Funding Agreement for the Receipt of a Grant from the Circle of Life Thunderbird House Whaka Pimadiziiwii Pinaysiiwigamic Inc. and Realignment of Capital Budgets

**Critical Path:** Standing Policy Committee on Property and Development, Heritage and Downtown Development – Executive Policy Committee – Council

## AUTHORIZATION

| Author | Department Head | CFO | CAO |
|---|---|---|---|
| B. Kelly | G. Patton | C. Kloepfer | M. Jack |

## EXECUTIVE SUMMARY

The Public Service is proposing that the Assets and Project Management Department enter into a funding agreement with the Circle of Life Thunderbird House Whaka Pimadiziiwii Pinaysiiwigamic Inc. ("Thunderbird House") to accept a grant of $241,202, which Thunderbird House received from the Community Foundations of Canada ("CFC") on behalf of the Government of Canada, as part of the Canada Healthy Communities Initiative. The grant is now being given to the City by Thunderbird House for the purpose of completing the Vulnerable Populations Public Washroom Facility Project located at 715 Main Street on the Thunderbird House site where property is being leased by the City.

The Public Service is also proposing to reverse the previously-approved realignment of $185,000 of existing capital program budgets that were allocated to this project and instead fund an equivalent increase to the 2021 Health/Life Safety/Emergency Systems Refurbishment/City-wide Accessibility Capital Program budget.

## RECOMMENDATIONS

1. That the City accept a grant from the Circle of Life Thunderbird House Whaka Pimadiziiwii Pinaysiiwigamic Inc. in the amount of $241,202 funded by The Community Foundations of Canada on behalf of the Government of Canada for the purpose of the City completing the Vulnerable Populations Public Washroom Facility Project.

2. That the City enter into, execute and deliver a funding agreement with Circle of Life Thunderbird House Whaka Pimadiziiwii Pinaysiiwigamic Inc. and such other agreements as determined necessary by the City Solicitor / Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

3. That authority be delegated to the Director of Assets and Project Management to negotiate and approve the terms and conditions of the funding agreement and the Ancillary Agreements, in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor / Director of Legal Services to protect the interest of the City.

4. That, subject to approval of Recommendation 1, the COVID-19 Community Response Fund for the Vulnerable Populations Public Washroom Facility Capital Project budget (capital project #6331004020) be increased from $818,087 to $874,289.

5. That, subject to approval of Recommendation 4, the $185,000 of previously realigned capital budgets, as identified in Appendix 2, be reversed and allocated to fund an equivalent increase to the 2021 Health/Life Safety/Emergency Systems Refurbishment/City-wide Accessibility Capital Program budget.

6. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

## REASON FOR THE REPORT

Council approval is required for the acceptance of a grant from Thunderbird House, which received it from the CFC on behalf of the Government of Canada, by entering into a funding agreement with Thunderbird House. Council approval is also required to allocate the funds that were previously identified to fund the project to the 2021 Health/Life Safety/Emergency Systems Refurbishment/City-wide Accessibility Capital Program budget.

## IMPLICATIONS OF THE RECOMMENDATIONS

A grant agreement between Thunderbird House and the City will set out the funding and cost-sharing arrangements and such other responsibilities of the parties to complete the Downtown Winnipeg Public Washroom Facility Project.

- The CFC grant in the amount of $241,202 will be received by the City from Thunderbird House according to the terms of a funding agreement that has been drafted by the Legal Services Department, and the grant will be used to complete the Vulnerable Populations Public Washroom Facility Project. The Director of Assets and Project Management will negotiate and approve the terms of the funding agreement.
- The “COVID-19 Community Response Fund for Vulnerable Populations Public Washroom (715 Main Street) Capital Project budget will increase from $818,087 to $874,289. See Appendix 1 for a revised capital detail sheet.
- The 2021 Health/Life Safety/Emergency Systems Refurbishment/City-wide Accessibility Capital Program budget will increase by $185,000, funded by the previously realigned capital budgets approved by Council.
- No additional City funding is being requested as the reversal of realigned existing, approved capital program funding of $185,000 and budget increase of $56,202 will be funded by the CFC grant.

## HISTORY/DISCUSSION

The intent of the new Public Washroom is to provide an accessible, clean, and safe washroom that is available 24 hours a day / 7 days a week / 365 days a year for people experiencing homelessness. The facility will provide two (2) regular washroom stalls, one (1) universal washroom stall, two (2) urinals, a handwashing station, a feet washing station, and an office for the washroom attendant. The new washroom will support the City's Public Washroom Strategy to reduce public health risks and provide more dignity and livability to Winnipeg's homeless population.

On July 23, 2020, Council adopted the following recommendations:

1. That of the $670,000.00 already gifted to the City from the Community Response Fund for Vulnerable Populations (CRFVP), up to $620,000.00 be allocated to the creation of one or more permanent public washrooms and hand washing stations.
2. That operational costs associated with these permanent public washrooms be determined and any amounts that cannot be defrayed through funding or revenue from other sources be referred to the 2021 operating budget process.
3. That the remainder of the $670,000.00 gifted to the City from the CRFVP be allocated for the immediate rental of temporary, portable washrooms and hand washing stations in areas of the city which will best serve the needs of homeless individuals, with locations to be identified through consultation with EHW and the Public Service.
4. That, if additional funds become available to the City from the CRFVP, authority be delegated to the Chief Administrative Officer to determine whether to allocate those additional amounts to either the creation of permanent public washrooms outlined in Recommendation 1 or the immediate rental of temporary, portable washrooms outlined in Recommendation 3.

On December 1, 2020, the Director of the Planning, Property and Development Department approved a Consultant Assignment for Bridgman Collaborative Architecture to provide professional consulting services to design the new Public Washroom facility.

The construction cost was estimated at $821,605 prior to Tender. The design was scaled back as much as possible while maintaining a similar level of service.

Pursuant to Recommendation 3 above, the Community Services Department facilitated the installation of seven (7) temporary washrooms for a one-year period, the maximum number that could be managed within existing resources.

On March 23, 2021, in accordance with Recommendation 4, the $13,087 was reallocated to the permanent washroom budget, increasing it from $620,000 to $633,087.

On March 24, 2021, the bid opportunity closed with seven (7) bids received. The lowest responsive bid, in the amount of $634,778.00 (MRST included and GST extra), was submitted by U Build Inc.

On March 31, 2021, the Contract Administrator reviewed the project scope of work with U Build Inc. and determined that U Build Inc. has the resources and expertise to complete the requirements of Tender 54-2021. The requirement for bid securities and execution of a formal contract was waived by the Manager of Materials pursuant to Administrative Standard FM-002.

On May 11, 2021, the Standing Policy Committee on Property and Development, Heritage and Downtown Development approved the increase of the project budget from $633,087 to $818,087 through the realignment of existing, Council-approved capital program budgets. The Chief Financial Officer was authorized to enter into, execute, deliver and award a contract to U Build Inc for the Construction of New Public Washroom – 715 Main Street – Tender No. 54-2021.

On June 1, 2021, the City awarded the contract in the amount of $634,778 (MRST included and GST extra) to U Build Inc. Due to unforeseen project requirements and the increase of construction contingency to a more adequate amount, the total estimated project budget has increased to $874,289.

The total estimated required budget amount of $874,289 consists of the following (amounts rounded):

| | |
|---|---|
| Construction Services | $ 689,000 |
| Consultant/Design Services | 80,000 |
| Permits | 8,000 |
| Municipal Accommodations Project Delivery Charge | 18,000 |
| Project and Asset Management Office Cost Recovery | 40,000 |
| Corporate Administrative Fees | 10,000 |
| Construction Contingency | 29,289 |
| Total | $ 874,289 |

See Appendix 1 for a revised capital detail sheet.

To address the additional funding requirement, the Public Service recommends establishing a funding agreement between the City of Winnipeg and Thunderbird House, for the receipt of the CFC grant in order to obtain funding towards the Vulnerable Populations Public Washroom Facility project. The Public Service has negotiated the terms and conditions of that agreement with the Grantor and a funding agreement has been drafted by the Legal Services Department for this purpose. The draft funding agreement reflects the $633,087 CRFVP grant received by the City and the $241,202 CFC grant received by Thunderbird House, which is the subject of this report. The draft funding agreement further stipulates that the City will manage and carry out all construction of the project, and will also complete all reporting required pursuant to Thunderbird House's funding agreement with CFC.

Funds in the amount of $185,000 from the existing, Council-approved capital program budgets under the purview of the Municipal Accommodations Division, including Fire/Life Safety /Regulatory Upgrades, Fire Alarm Code Compliance Upgrades, Accommodation Facilities and Health/Life Safety/Emergency Systems Refurbishment/City-wide Accessibility, dating from 2017 to 2021, that were previously realigned to address the project's funding requirements. As shown in Appendix 2, all but $20,912 of the $185,000 dates from 2019 (or earlier) capital budgets that, having been approved two or more years ago, are subject to review and potential closure. For this reason, the Public Service recommends reversing the realignment in order to fund an equivalent increase to the 2021 Health/Life Safety/Emergency Systems Refurbishment/City-wide Accessibility Capital Program budget.

**FINANCIAL IMPACT**

## Financial Impact Statement

**Date:** August 19, 2021

**Project Name:**

**First Year of Program** **2021**

Vulnerable Populations Public Washroom (715 Main Street) Facility Project Funding Agreement for the Receipt of a Grant from the Circle of Life Thunderbird House Whaka Pimadiziiwii Pinaysiiwigamic Inc. and Realignment of Capital Budgets

| | 2021 | 2022 | 2023 | 2024 | 2025 |
|---|---|---|---|---|---|
| **Capital** | | | | | |
| Capital Expenditures Required | $ 874,289 | $ - | $ - | $ - | $ - |
| Less: Existing Budgeted Costs | 818,087 | - | - | - | - |
| Additional Capital Budget Required | $ 56,202 | $ - | $ - | $ - | $ - |
| **Funding Sources:** | | | | | |
| Debt - Internal | $ - | $ - | $ - | $ - | $ - |
| Debt - External | - | - | - | - | - |
| Grants (CFC grant via Thunderbird House) | 56,202 | - | - | - | - |
| Reserves, Equity, Surplus | - | - | - | - | - |
| Other - Enter Description Here | - | - | - | - | - |
| Total Funding | $ 56,202 | $ - | $ - | $ - | $ - |
| Total Additional Capital Budget Required | $ 56,202 | | | | |
| Total Additional Debt Required | $ - | | | | |
| **Current Expenditures/Revenues** | | | | | |
| Direct Costs | $ - | $ - | $ - | $ - | $ - |
| Less: Incremental Revenue/Recovery | - | - | - | - | - |
| Net Cost/(Benefit) | $ - | $ - | $ - | $ - | $ - |
| Less: Existing Budget Amounts | - | - | - | - | - |
| Net Budget Adjustment Required | $ - | $ - | $ - | $ - | $ - |

**Additional Comments:** The increased budget of $56,202 is funded by a portion of the $241,202 Community Foundations of Canada ("CFC") grant received by Thunderbird House toward the construction of the public washroom. The remaining $185,000 of CFC grant replaces previously realigned Municipal Accommodations Division capital program funding, the latter to be allocated to fund an equivalent increase to the 2021 Health/Life Safety/Emergency Systems Refurbishment/City-wide Accessibility Capital Program budget. **No additional City funding is required.**

*Mike McGinn Aug. 19, 2021*

Mike McGinn, CPA, CA
Manager of Finance

## CONSULTATION

This Report has been prepared in consultation with:

- Legal Services (as to legal issues)

## OURWINNIPEG POLICY ALIGNMENT

**Section 01-2a: Collaborate to Make Safe Communities**

- Direction 3: Promote Safety in Buildings

**Section 03-1: Opportunity**

- Direction 2: Provide Equitable Access to Municipal Programs, Services and Facilities

**Quality of Life**

- Direction 3: Work in partnership with Communities to identify and address neighbourhood issues.

## WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Low Carbon and Energy Efficient Buildings
5.2 Improve Energy Performance of New Buildings (Primary Responsibility: Planning, Property and Development Department)

Corporate Leadership
1.3 Implement Low Carbon and Energy Efficient City Facilities and Buildings (Primary Responsibility: Planning, Property, and Development Department)

## SUBMITTED BY

Department: Assets and Project Management
Division: Asset Management Office
Prepared by: Brenda Kelly, Asset Manager
Michael Kupchin, Asset Strategic Investment Planner
Date: August 19, 2021
File No: MA2021-107

Attachments:

Appendix 1 – Capital budget detail sheet

Appendix 2 - Previously Realigned Capital Program Funding Sources