



ADMINISTRATIVE REPORT

Report Date: March 24, 2009
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RTS No.: 08018
VanRIMS No.: 08-2000-20
Meeting Date: April 7, 2009

TO: Vancouver City Council

FROM: Director, Facilities Design & Management in consultation with the Director of Civic Theatres

SUBJECT: Award of Environmental Consultant Contract for Queen Elizabeth Theatre Redevelopment - Audience Chamber Phase 2 Completion

RECOMMENDATION

- A. THAT Council waive the normal policy of conducting a formal Public Tender or Request for Proposals process and approve entering into a sole-sourced agreement with EHS Partnerships Ltd. ("EHSP") for environmental consulting and abatement monitoring services for the Queen Elizabeth Theatre Redevelopment - Audience Chamber Phase 2 Completion to a maximum value of \$245,000 (plus applicable taxes) with the source of funding to be the Queen Elizabeth Theatre Redevelopment Capital Budget;
- B. THAT the Director of Legal Services be authorized to execute and deliver on behalf of the City all legal documents required to implement Recommendation A;
- C. THAT all such legal documents be on terms and conditions satisfactory to the General Manager of Business Planning & Services and the Director of Legal Services; and
- D. THAT no legal rights or obligations will be created or arise by Council's adoption of Recommendations A, B, and C above unless and until such legal documents are executed and delivered by the Director of Legal Services.

GENERAL MANAGER'S COMMENTS

The General Manager of Business Planning and Services and the General Manager of Community Services RECOMMEND approval of the foregoing.

COUNCIL POLICY

Council approval is required for the award of any consulting contract with a value over \$30,000.

Contracts over \$100,000 require a formal Public Tender or Request for Proposals process.

PURPOSE

The purpose of this report is to seek Council approval to award a sole-sourced contract to EHSP for environmental consulting and abatement monitoring services for the Queen Elizabeth Theatre Redevelopment - Audience Chamber Phase 2 Completion, up to a maximum value of \$245,000 (plus applicable taxes).

BACKGROUND

Previously, Council approved a phased approach to renewing the Queen Elizabeth Theatre (QET) Complex with work scheduled in the summers of 2006, 2007, 2008, and 2009. The first phase of the QET audience chamber renovation project in 2007 included the remediation of existing lead coatings on the ceiling structure. During this construction period, routine testing revealed lead dust contamination throughout the construction area, prompting extensive site cleanup. Full environmental clearance was attained prior to the theatre re-opening in the fall of 2007.

In preparation for the 2008 phase of the audience chamber renovation, preconstruction testing revealed the re-emergence of lead dust in previously cleared areas, and further testing indicated the additional presence of lead dust in sealed and concealed areas. WorkSafe BC issued a directive that a comprehensive remediation program be completed for both lead paint and lead dust. This work was performed concurrently with the 2008 construction, with environmental consulting and abatement monitoring provided by EHSP, and full environmental clearance was again attained prior to the theatre reopening in the fall of 2008.

At this point all accessible areas of the facility have been cleared of any significant lead contamination. The 2009 course of construction, the most intensive to date, involves the exposure of previously concealed spaces some of which contain lead-coated steel members and accumulations of lead contaminated dust. It is critical that remaining remediation work be directed so as to retain the facility's current 'cleared' status.

On March 3, 2009 (RTS 7938) Council approved a budget of \$10,500,000 in advance of the 2009 Basic Capital Budget to replenish funds for the capital upgrades to the Queen Elizabeth Theatre that had been used to remediate unexpected lead contamination. This amount is budgeted to fund the remediation, consulting, monitoring and testing work to date as well as to completion of the project, including the services under discussion.

DISCUSSION

The overall QET Redevelopment is on a very tight timeline and is scheduled for completion in November 2009, preceding the 2010 Cultural Olympiad.

It is imperative that remaining remediation work at the QET, commencing immediately and intensifying over the summer construction period, be monitored and controlled so as to retain the facility's current 'cleared' status. EHSP was the successful proponent in a Request for Proposals for environmental consulting services early in 2008, and was subsequently retained for environmental consulting and abatement monitoring services required for the 2008 course of construction (RTS 7356). Their prompt and professional reporting and recommendations facilitated immediate and long-term remediation and exposure control measures that brought and continue to maintain levels of lead within acceptable limits.

Given this tight timeline, the complex nature of the Project, and the seriousness of concerns arising from the re-emergence of lead dust within the QET, Facilities Development and Civic Theatres staff recommend entering into a sole-sourced agreement with EHSP for comprehensive environmental consulting services to a maximum value of \$245,000 (plus applicable taxes) for the duration of the Phase 2 period, on the basis that they:

- were the successful proponent in the initial limited RFP process for a pre-construction hazardous materials survey
- provided prompt and professional reporting
- utilize real-time testing equipment providing immediate results
- now have an intimate working knowledge of the facility, the project and the issues
- have the background and capacity to proceed with work immediately

FINANCIAL IMPLICATIONS

The cost of comprehensive environmental consulting services to be provided by EHSP as necessary to retain the QET facility's current 'cleared' status, is estimated at a maximum of \$245,000 (plus applicable taxes). The source of funds for this agreement with EHSP is to be the Queen Elizabeth Theatre Redevelopment Capital Budget.

CONCLUSION

The Director, Facilities Design & Management and the Director of Civic Theatres recommend entering into a sole-sourced agreement with EHSP for environmental consulting and abatement monitoring services to the completion of QET Phase 2 Redevelopment, with the source of funding to be the Queen Elizabeth Theatre Redevelopment Capital Budget.

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