

**LATE DISTRIBUTION
FOR COUNCIL - DECEMBER 15, 2009**

A17



ADMINISTRATIVE REPORT

Report Date: December 7, 2009
Contact: Sue Harvey
Contact No.: 604.871.6001
RTS No.: 08509
VanRIMS No.: 08-2000-20
Meeting Date: December 15, 2009

TO: Vancouver City Council

FROM: Executive Producer, LiveCity Vancouver (Managing Director, Cultural Services)

SUBJECT: LiveCity Vancouver - Award of Supplier Contracts

RECOMMENDATION

- A. THAT Council authorise Live Nation Canada, Inc., acting as general contractor for the LiveCity Vancouver project, to award a contract to Island Creative Management for specialised theatrical staging scenery and services at a total cost not to exceed \$490,825 plus GST and as outlined in this report; source of funding to be the previously-approved \$18 million LiveCity Vancouver project budget.
- B. THAT Council authorise the General Manager of Olympic Operations and Executive Producer, LiveCity Vancouver (Managing Director of Cultural Services) to approve terms and conditions in consultation with the Director of Legal Services for the contracts set out in Recommendation A.
- C. THAT no legal rights or obligations will be created by Council's adoption of Recommendations A and B above, unless and until such legal documents are executed and delivered by Live Nation Canada, Inc. to the Executive Producer, LiveCity Vancouver (Managing Director of Cultural Services).

CITY MANAGER'S COMMENTS

The City Manager recommends approval of the foregoing.

COUNCIL POLICY

On December 11, 2007, Council approved the Olympic and Paralympic Legacy Reserve Fund program and budgets in the amount of \$20 million with instructions to report back on funding for specific projects.

On March 24, 2009, Council approved a total project budget of \$18 million for LiveCity Vancouver (RTS# 7950) including a funding allocation of \$5 million from the Olympic and Paralympic Legacy Reserve (RTS # 6933 and 7533), and a \$10 million contribution from the Government of Canada with the balance of the funding to be secured from earned revenues and sponsorships.

On March 24, 2009 Council approved a process to acquire the necessary products and services on behalf of the City to plan, produce and operate LiveCity Vancouver subject to the City's senior management oversight and contractual controls on the utilization of competitive processes, approvals and audit controls and further, approved the retention of Live Nation Canada, Inc. as the Live Sites Producer acting as general contractor for LiveCity Vancouver on behalf of the City (RTS# 7950).

Contracts with a value over \$300,000 are referred to Council for approval.

PURPOSE

The purpose of this report is to seek Council authorisation for Live Nation Canada, Inc., acting as general contractor for LiveCity Vancouver, to enter into an agreement with a value greater than \$300,000 for the supply of services and materials as outlined in this report and as called for in the procurement process previously approved by Council.

BACKGROUND

On March 24, 2009 Council approved (RTS# 7950) the LiveCity concept, retention of a Producer and Creative Director team (the production firm) as well as a process to acquire the necessary products and services to produce and operate the Live Sites. This process is subject to the City's senior management oversight and contractual controls on the utilization of competitive processes, approvals and audit controls on the production firm.

This oversight system has been put in place to enable Live Nation Canada, Inc., as the production firm (acting as general contractor) to acquire the necessary goods and services while maintaining transparency, competitiveness and City oversight.

Contract Approval Process requires the Producer to obtain City approval of all of its significant contracts in a manner that parallels the City's internal procurement policy, as follows:

Table 1

CONTRACT AMOUNTS:	APPROVALS BY:
Up to \$10,000	•Producer, LiveCity Vancouver
\$10,000 to \$100,000	• General Manager Olympic and Paralympic Operations or Executive Producer, LiveCity Vancouver (Managing Director of Cultural Services)
\$100,000 to \$300,000	•General Manager Olympic and Paralympic Operations; and •Executive Producer, LiveCity Vancouver (Managing Director of Cultural Services).
Over \$300,000	•General Manager Olympic and Paralympic Operations; •Executive Producer, LiveCity Vancouver (Managing Director of Cultural Services; and •Vancouver City Council

A list of all materials and services (excluding artists) necessary to design, build, and operate the Live Sites was advertised through the 2010 Commerce Centre (www.2010commercecentre.gov.bc.ca) and in the Vancouver Sun.

This report seeks Council approval of a supplier contract for specialised theatrical staging scenery and services with a value over \$300,000.

DISCUSSION

From the inquiries received as a result of advertising and industry contacts, Live Nation Canada, Inc. identified a minimum of three qualified professionals for the required supplier services category. RFP's were sought from the pre-qualified proponents.

The RFP for specialised theatrical staging scenery and services closed December 6, 2009. Nine firms were pre-qualified; four submissions were received.

1. Island Creative Management
2. Ray's Rental
3. Fusion Imaging, Inc.
4. Accurate Staging Manufacturing Inc.

Each submission was evaluated using a consistent methodology and reviewed by Stantec Consulting Inc. acting as LiveCity project managers. Evaluation criteria included relevant project experience, project approach and methodology, team skills, organizational capabilities, proposed schedule and price.

Based on the qualitative response to the RFP as well as lowest price, Island Creative Management is recommended as the LiveCity Vancouver specialised theatrical staging scenery and services supplier (Recommendation A).

FINANCIAL IMPLICATIONS

On March 24, 2009 Council approved a project budget of \$18 million for the LiveCity Vancouver Project. Source of funding includes; Canadian Heritage (Federal Government Contribution); the City's Olympic Legacy Reserve (RTS # 7533) and confirmed and projected income from sponsorship sales and operations.

LiveCity Vancouver has engaged Stantec to provide project management functions including procurement and budget oversight. They have confirmed that the methodology used meets the requirements set out by City Council and that the value of the contracts recommended fall within the project budget.

Council has previously approved awards of contract (RTS # 8316, # 8292, # 8370, and # 8434) with a total value of \$6.68 million. Should Council approve to award the supplier contracts outlined in this report, a further maximum \$490,825 plus GST would be paid for through the Olympic Legacy Reserve Fund - LiveCity Budget. This would bring the total approved awards of contract to \$7.17 million

CONCLUSION

This report seeks Council approval for Live Nation Canada, Inc., acting as general contractor, to enter into an agreement for LiveCity Vancouver specialised theatrical staging scenery and services as outlined above and as provided for in the previously approved Live City procurement process and necessary to realise the LiveCity Vancouver project.

* * * * *