

Request for Decision

Coniston Splash Pad Donation - Lopes Limited

Presented To: Community Services
Committee

Presented: Monday, Feb 05, 2018

Report Date Tuesday, Jan 23, 2018

Type: Managers' Reports

Resolution

THAT the City of Greater Sudbury approves the donation of a splash pad for Coniston Centennial Park by Lopes Limited;

AND THAT the splash pad be named the Adelie Splash Pad;

AND THAT the City of Greater Sudbury authorizes the General Manager of Community Development to enter into a single source agreement with Lopes Limited for the construction of the Adelie Splash Pad; all of which is described in the report entitled "Coniston Splash Pad Donation - Lopes Limited", from the General Manager of Community Development, presented at the Community Services Committee meeting on February 5, 2018.

Relationship to the Strategic Plan / Health Impact Assessment

The 2015-2018 Corporate Strategic Plan identifies Quality of Place and Life as a priority. The proposed splash pad aligns with the priority of maintaining great public spaces and facilities to provide opportunities for everyone to enjoy.

The proposed splash pad will have a positive impact in the area of human health and well-being by enhancing recreation facilities available to residents.

This initiative also supports the Population Health priority of creating of accessible play opportunities and experiences.

Report Summary

This report outlines a commitment from Lopes Limited to construct and donate a splash pad to the City of Greater Sudbury at Coniston Centennial Park and seeks authorization to single source construction of the splash pad to Lopes Limited.

Signed By

Report Prepared By

Jeff Pafford
Director of Leisure Services
Digitally Signed Jan 23, 18

Health Impact Review

Jeff Pafford
Director of Leisure Services
Digitally Signed Jan 23, 18

Division Review

Jeff Pafford
Director of Leisure Services
Digitally Signed Jan 23, 18

Financial Implications

Jim Lister
Manager of Financial Planning and
Budgeting
Digitally Signed Jan 23, 18

Recommended by the Department

Catherine Matheson
General Manager of Community
Development
Digitally Signed Jan 23, 18

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jan 23, 18

Financial Implications

The Coniston Playground Association has applied for Healthy Community Initiative (HCI) capital funding in the amount of \$50,000 towards the splash pad project. The remainder of the capital cost will be funded from the donation by Lopes Limited.

Ongoing costs for water, utilities and maintenance related to the splash pad will be included in the 2019 Leisure Services Division operational budget (approximately \$10,000 annually). Operating costs incurred in 2018, once the splash pad is operational, will be funded within the existing Council approved budget.

Background

Lopes Limited was founded in 1976 with headquarters now based in Coniston. The company provides design, fabrication and installation turnkey services to a variety of industries including mining, chemical, oil & gas, energy and agriculture. Lopes Limited has been responsible for completing complex projects and fabrication jobs for clients across Northern Ontario, Canada and into the United States. The company is committed to its community and has strong corporate social responsibility.

In 2017, Lopes Limited worked with the Coniston Community Action Network and donated and installed a greenhouse to support the community gardens located at the Coniston Centennial Park. More recently, Lopes Limited has had discussions with the Coniston Playground Association about the development of a splash pad at the Coniston Centennial Park.

Representatives from the Leisure Services Division have met with Lopes Limited and the Coniston Playground Association to review the splash pad proposal. Lopes Limited has provided a letter of commitment (Appendix A – Coniston Splash Pad Letter of Commitment) outlining the scope of work of the project. Lopes Limited is seeking to be the constructor of the splash pad facility and will donate it to the City of Greater Sudbury (City) upon completion of the project. Lopes Limited has the experience and expertise to construct the splash pad facility, with decades of experience with fabrication and complex projects.

Donations to parks are governed by the City of Greater Sudbury Parks Services Donation and Memorial Program policy which invites members of the public to make donations for park enhancements, including capital investments which shall be funded by the donor. Lopes Limited has indicated that it wishes to leverage its business interests to construct the splash pad. As such, as required by By-law 2014-1, the City's Purchasing By-law, authority is being sought to enter into a single source agreement with Lopes Limited for the construction of the splash pad. The single source purchase is recommended as the project would otherwise not be realized without the commitment from Lopes Limited.

In return, Lopes Limited has asked that upon the completion and donation of the splash pad that the asset be named 'Adelie Splash Pad' in recognition of Felix Lopes Jr.'s daughters. The park will continue to be named Coniston Centennial Park. The City of Greater Sudbury's Building, Property and Park Naming Policy notes that when there is a large financial support that exceeds 35% of the total capital contribution towards new or redeveloped facilities and properties, the naming of a municipal facility or property may be brought forward to Council for approval. The policy also provides for the naming of individual elements (components) within a park or facility.

Lopes Limited has committed to funding the majority (at least 80%) of the splash pad project. The Coniston Playground Association has applied for Healthy Community Initiative (HCI) capital funding in the amount of \$50,000 towards the project. This application will be presented to Council as part of a future report for HCI approvals.

Ongoing costs for water, utilities and maintenance related to the splash pad will be included in future Leisure Services Division operational budgets upon completion of the project. Those costs are estimated to be about \$10,000 per year for the life of the splash pad.

Parks, Open Space & Leisure Master Plan Implications

The City of Greater Sudbury Parks, Open Space & Leisure Master Plan Review (2014) called for the expansion of splash pad inventory using a 1.5-kilometre service radius within urban residential areas. The plan notes that splash pads are facilities that contribute to the City's goal of creating a healthy community providing no cost recreation opportunities for children and families. The plan noted that seven to eight new splash pads would need to be added to meet targets, including sites within Garson, Onaping/Dowling, Capreol, Sudbury (South End, Minnow Lake and Bell Park), and possibly Azilda and/or Val Caron.

The Parks, Open Space and Leisure Master Plan Review also includes several considerations to assist in determining locations for splash pad development:

- Splash pads should be provided in community parks that have access to washrooms, change areas and off street parking.
- Shade and seating options are desired features at splash pad locations.
- Splash pads should be located near parking, but kept a safe distance away from streets.

New splash pad development in Coniston, while not specifically noted in the Parks, Open Space and Leisure Master Plan Review, does meet the recommended service radius of 1.5-kilometers within an urban residential area. Coniston Centennial Park provides many of the site considerations desirable for a splash pad facility.

Splash Pad Development in Greater Sudbury

At the April 3, 2017 Community Services Committee meeting Council received a report entitled Splash Pad Update. The report noted dollars committed to splash pad development in Onaping, Capreol, Garson and at Delki Dozzi Playground as part of the 2016 Capital Budget. The report also sought direction on where to allocate \$50,000 originally allocated to seed funding for a splash pad to be developed at Bell Park as part of the 2010 Capital Budget and another \$50,000 allocated as part of the 2016 Capital Budget for a site to be determined.

By resolution, Council directed that the remaining \$50,000 seed funding from the 2016 Capital Budget and the \$50,000 previously allocated for Bell Park be allocated to fund splash pads in the remaining areas identified in the Parks, Open Space & Leisure Master Plan Review (Azilda and Val Caron).

Since the April 3, 2017 Community Services Committee meeting, two additional projects have been funded: the development of a splash pad at Twin Forks Playground through

Healthy Community Initiative funding and seed funding allocated for a splash pad in Copper Cliff as part of the 2018 Capital Budget.

To date, the total number of installed and committed splash pads in Greater Sudbury is seventeen (17). Locations as follows:

- Azilda (site to be determined)
- Capreol (Doug Mohns Park)
- Côté Park (Chelmsford)
- DJ Hancock Memorial Park (Sudbury)
- Delki Dozzi (Sudbury)
- Garson (site to be determined)
- Howard Armstrong Recreation Centre (Valley East)
- Kinsmen Sports Complex (Walden)
- Memorial Park (Sudbury)
- Morel Family Foundation Park (Sudbury)
- O'Connor Playground (Sudbury)
- Onaping Community Centre (Onaping)
- Ridgecrest Playground (Sudbury)
- Twin Forks Playground (Sudbury)
- Val Caron (site to be determined)
- Victory Park (Sudbury)
- Westmount Playground (Sudbury)

Summary

Lopes Limited has demonstrated their commitment to the community of Coniston, and support for the addition of a splash pad can be found in the criteria for splash pads in the City's Parks, Open Space and Leisure Master Plan Review. The project is also supported by the City's Population Health priorities, providing play opportunities and experiences for children. As such, it is recommended that the City accept the donation as outlined in this report.

Next Steps

City Council will receive a separate report relating to the HCI application for capital funds in the amount of \$50,000 to support the project.

If this recommendation passes, the City of Greater Sudbury will enter into an agreement with Lopes Limited regarding the construction of the splash pad.

Lopes Limited is planning to have the project completed by June 2018.

References

City of Greater Sudbury Parks, Open Space & Leisure Master Plan Review (2014)

<https://www.greatersudbury.ca/play/parks-and-playgrounds1/parks-open-space-and-leisure-master-plan-review-2014/>

Splash Pad Update, Community Services Committee (April 3, 2017)

<http://agendasonline.greatersudbury.ca/index.cfm?pg=feed&action=file&agenda=report&itemid=8&id=1151>

City of Greater Sudbury Parks Services Donation and Memorial Program

<http://agendasonline.greatersudbury.ca/?pg=feed&action=file&attachment=5992.pdf>

City of Greater Sudbury Purchasing By-Law 2014-1

<https://www.greatersudbury.ca/do-business/bidding-opportunities/policies-terms-and-conditions/purchasing-by-law/purchasing-by-law-2014/>

City of Greater Sudbury Building, Property and Park Naming Policy

<https://agendasonline.greatersudbury.ca/index.cfm?pg=feed&action=file&attachment=10245.pdf>



CONISTON SPLASHPAD LETTER OF COMMITMENT

It is the intention of Felix Lopes to work as constructor on the procurement and installation of a splashpad in Coniston, with an expected completion date of summer 2018. The splashpad will follow the design parameters and mechanical requirements established by CGS from previous installations throughout the City; It is understood by Felix Lopes that the dollar value of those previous installations range from \$225-350K. The play value represented by that financial investment will be matched at the proposed Coniston splashpad location.

Further, Felix Lopes reserves the right to name the Splashpad the "Adelie splashpad" after members of his family.

Indemnity Clause

- (1) Felix Lopes shall indemnify and save harmless the City, its officers, employees or agents from and against any and all claims, actions, losses, expenses, costs or damages of every nature and kind whatsoever resulting from or connected with the Project to the Extent that they are caused by:
 - (a) negligent acts, errors or omissions of the Constructor, its officers, employees or agents in providing services on the Project;
 - (b) failure of the Constructor, its officers, employees or agents to comply in material respects with federal, provincial, and local laws and regulations applicable to services undertaken by the Consultant hereunder;
 - (c) breach of this Agreement by the Constructor, its officers, employees or agents; or
 - (d) a wilful misconduct on the part of the Constructor, its officers, employees or agents.
- (2) Without limiting the generality of the foregoing, the Constructor shall also indemnify and save harmless the City from and against all actions, claims and demands whatsoever which may be brought against or made upon the City for the infringement of or use of any intellectual property rights including any copyright or patent arising out of the reproduction or use in any manner of information of any kind whatsoever furnished by the Constructor in the performance of this Agreement

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