



City of Hamilton
WEST HARBOUR DEVELOPMENT
SUB-COMMITTEE
AGENDA

Meeting #: 21-001
Date: April 13, 2021
Time: 11:00 a.m.
Location: Due to the COVID-19 and the Closure of City Hall (RM)

All electronic meetings can be viewed at:

City of Hamilton's Website:
<https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

City's Youtube Channel:
<https://www.youtube.com/user/InsideCityofHamilton>

Tamara Bates, Legislative Coordinator (905) 546-2424 ext. 4102

Pages

1. CEREMONIAL ACTIVITIES

2. APPROVAL OF AGENDA

(Added Items, if applicable, will be noted with *)

3. DECLARATIONS OF INTEREST

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1. December 2, 2020

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5. COMMUNICATIONS

6. DELEGATION REQUESTS

7. CONSENT ITEMS

8. STAFF PRESENTATIONS

9. PUBLIC HEARINGS / DELEGATIONS

10. DISCUSSION ITEMS

- 10.1. Pier 8 Animation Program and HWT (Discovery) Centre Status Update (PED21090) (Ward 2) 7
- 10.2. Amendment to the Project Management Agreement Between the City of Hamilton and the Hamilton Waterfront Trust 13

11. MOTIONS

12. NOTICES OF MOTION

13. GENERAL INFORMATION / OTHER BUSINESS

- 13.1. Amendments to the Outstanding Business Items List
 - 13.1.a. Items Considered Completed and to be Removed
 - 13.1.a.a. Animation of Piers 5-8 Lands
 - Item on OBL: 20-A
 - Addressed as Item 10.1 on Today's Agenda

14. PRIVATE AND CONFIDENTIAL

15. ADJOURNMENT



Hamilton

**West Harbour Development Sub-Committee
Minutes 20-001**

9:30 a.m.

Wednesday, December 2, 2020
Council Chambers, 2nd Floor, City Hall
71 Main Street West
Hamilton, Ontario

Present: Mayor F. Eisenberger
Councillors J. Farr (Chair), M. Wilson (Vice-Chair), C. Collins, and
J.P. Danko

**THE FOLLOWING ITEMS WERE REFERRED TO THE GENERAL ISSUES COMMITTEE
FOR CONSIDERATION:**

**1. West Harbour Waterfront Re-Development Plan – Implementation Status
Update (PED17181(b)) (Item 10.1)**

(i) Animation of Piers 5-8 Lands

(Collins/Eisenberger)

- (a) That staff from the Tourism and Culture Division be directed to prepare and execute an agreement with an external entity to a maximum value of \$40,000 for the implementation of operating and programming temporary animation of the Piers 5 to 8 lands, inclusive of the Waterfront Trust Centre (formerly the Discovery Centre), with nominal cost for leasing of the lands, for the 2021-2022 seasons, to be funded through Project 4411606003 (West Harbour Community Engagement) in a manner and on conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, and in a form acceptable to the City Solicitor.
- (b) That staff report back to the West Harbour Development Sub-Committee by the end of the first quarter of 2021 with interim and long-term strategies for the use of the Waterfront Trust Centre (formerly the Discovery Centre), including animation of the surrounding outdoor area.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 - Chair - Councillor Jason Farr
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger

(ii) West Harbour Waterfront Re-Development Plan – Implementation Status Update

(Eisenberger/Danko)

That Report PW17181(b), respecting West Harbour Waterfront Re-Development Plan – Implementation Status Update, be received.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 - Chair - Councillor Jason Farr
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

The Committee Clerk advised that there were no changes to the Agenda.

(Danko/Collins)

That the Agenda for the December 2, 2020 meeting of the West Harbour Development Sub-Committee be approved, as presented.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 - Chair - Councillor Jason Farr
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 4)

(i) December 18, 2019 (Item 4.1)

(Danko/Eisenberger)

That the Minutes for the December 18, 2019 meeting of the West Harbour Development Sub-Committee be approved, as presented.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 - Chair - Councillor Jason Farr
YES - Ward 5 Councillor Chad Collins
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger

(d) ADJOURNMENT (Item 15)

(Wilson/Eisenberger)

That, there being no further business, the West Harbour Development Sub-Committee be adjourned at 11:03 a.m.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 - Chair - Councillor Jason Farr
YES - Ward 5 Councillor Chad Collins
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger


Respectfully submitted,

Councillor J. Farr, Chair
West Harbour Development
Sub-Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Chair and Members West Harbour Development Sub Committee
COMMITTEE DATE:	April 13, 2021
SUBJECT/REPORT NO:	Pier 8 Animation Program and HWT (Discovery) Centre - Status Update (PED21090) (Ward 2) (Outstanding Business List Item)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	Chris Phillips (905) 546-2424 Ext. 5304 Ray Kessler (905) 546-2424 Ext. 7019
SUBMITTED BY:	Norm Schleeahn Director, Economic Development Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That staff prepare a long-term strategy including an assessment of the existing conditions of the HWT (former Discovery) Centre building including the cost of existing operations, future capital requirements, planning approvals, parking requirements, real estate evaluations, market soundings, and other relevant due diligence, and report back to the West Harbour Development Sub Committee identifying options for future uses of the property, as well as various ownership and/or operating models;
- (b) That staff promote the availability of the HWT (former Discovery) Centre property for lease, on the following conditions, and report back to the Sub Committee:
- i) Any currently unoccupied and available space within and outside of the building;
 - ii) Suitable uses being restricted to permitted zoning/land use regulations, with a preference for outdoor year-round programming/animation, and a desire for variety, including some food and beverage;
 - iii) Minimum Term of 1-year and a Maximum Term of 5 years, with potential for options;

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SUBJECT: Pier 8 Animation Program and HWT (Discovery) Centre - Status Update (PED21090) (Ward 2) - Page 2 of 6

- iv) Structured on a Fully Net and Carefree basis;
- v) A portion of the space be available for some public meetings or events.

EXECUTIVE SUMMARY

On December 16, 2020, Council approved GIC Report 20-023, which included the West Harbour Development Sub-Committee Report 20-001 dated December 2, 2020 including the following Motion:

West Harbour Waterfront Re-Development Plan – Implementation Status Update (PED17181(b))

- (i) *Animation of Piers 5-8 Lands*
 - (1) *That staff from the Tourism and Culture Division be directed to prepare and execute an agreement with an external entity to a maximum value of \$40,000 for the implementation of operating and programming temporary animation of the Piers 5 to 8 lands, inclusive of the Waterfront Trust Centre (formerly the Discovery Centre), with nominal cost for leasing of the lands, for the 2021-2022 seasons, to be funded through Project 4411606003 (West Harbour Community Engagement) in a manner and on conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, and in a form acceptable to the City Solicitor; and,*
 - (2) *That staff be directed to report back to the West Harbour Development Sub-Committee, by the end of the first quarter of 2021, with interim and long-term strategies for the use of the Waterfront Trust Centre (formerly the Discovery Centre), including animation of the surrounding outdoor area; and*
- ii) *That Report PED17181(b), respecting West Harbour Waterfront Re-Development Plan – Implementation Status Update, be received.*

This Report PED21090 provides a status update on both items identified.

Piers 6 and 7 Temporary Programming & Animation Plan

Staff have executed a Letter of Agreement with Whitney McMeekin for the operation and programming of temporary animation of the Pier 8 lands, in compliance with the Council direction and existing City policies. The agreement is for the geographic area directly adjacent to the HWT (former Discovery) Centre building and covers the timeframe from mid-spring 2021 to the end of summer 2021. The agreement ensures the programming will take many forms including festivals and temporary public art to community gatherings, will engage a minimum of four (4) community partners in diverse

SUBJECT: Pier 8 Animation Program and HWT (Discovery) Centre - Status Update (PED21090) (Ward 2) - Page 3 of 6

arts / cultural programming, and will preserve accessibility for all citizens by not charging an entry fee to the Program area. It should be noted that all activations will comply with provincial and local City of Hamilton COVID-19 guidelines and all other applicable regulations in effect at the time.

As identified in Report PED17181(b), the City's facilities group is responsible for the management of the building and the Hamilton Waterfront Trust (HWT) continues to be retained to operate and maintain the building on a day-to-day basis, as well as managing the programming and rental bookings. Staff expect this relationship to continue throughout 2021, in compliance with all applicable guidelines and regulations.

Developing a Long-term Strategy for the HWT (former Discovery) Centre Building

Report PED17181(b) identified the short-term and long-term future of the HWT Centre building as an important emerging issue over the 2021-2022 timeframe. The report highlighted some of the complexities of the site, its past uses, the community interest in the building's future, and the direct and indirect relationship with the adjacent Pier 8 development.

Report PED21090 seeks approval for staff to prepare an assessment of the existing conditions of the HWT Centre including the cost of existing operations, future capital requirements, planning approvals, parking requirements, real estate evaluations, market soundings, and other relevant due diligence, and report back to the West Harbour Development Sub Committee identifying options for future uses for the property, as well as various ownership and/or operating models.

Report PED17181(b) also indicated that several private and non-profit entities, including the City's Successful Proponent of the Pier 8 Development Opportunity, the Waterfront Shores Corporation (WSC), have approached staff with an interest in pursuing the building for various uses.

Staff are proposing a framework for pursuing the lease-up of the property and for any future lease negotiations of the building and will report back to the West Harbour Development Sub Committee on any proposed agreements.

Alternatives for Consideration – See Page 6

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: N/A

**SUBJECT: Pier 8 Animation Program and HWT (Discovery) Centre - Status Update
(PED21090) (Ward 2) - Page 4 of 6**

HISTORICAL BACKGROUND

On December 16, 2020, Council approved GIC Report 20-023, which included the West Harbour Development Sub-Committee Report 20-001 dated December 2, 2020 including report PED17181(b) entitled West Harbour Waterfront Re-Development Plan – Implementation Status Update.

Prior to this, on November 27, 2019, Council approved GIC Report 19-024 containing Report PED19191(a) entitled Pier 6 and 7 Land Disposition and Interim Activation Plan. This report approved capital funding of up to \$40,000 and directed staff to retain an external entity to plan and operate a temporary animation program located on the Piers 5 to 8 lands, during the 2020 season (spring-fall). Although staff from the Tourism and Culture Division were preparing to enact the direction, the COVID-19 pandemic restricted the ability to execute the envisioned plan, and no further action was taken.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

No formal consultation has taken place on the recommendations outside of West Harbour and Real Estate staff.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The HWT Centre building is a City-owned facility, that has been primarily vacant for the past few years. Initially built and operated as the Parks Canada Marine Discovery Centre, the building footprint is zoned for institutional use, but has most recently been used as a full-service restaurant with waterfront patio and an informal event and meeting facility. Upon closure, the internal and patio restaurant furnishings and fixtures were removed, leaving the former restaurant primarily vacant open interior space. Parks Canada still occupies the north-east portion of the building as office-space, with the remainder consisting of an entrance lobby, two small meeting rooms with waterfront patio access, a 50-seat theatre, washroom facilities, and direct access to the north portion of the waterfront trail.

The long-term future of the building has been a topic of discussion at Council and within the community. Opinions vary on the future-state, but generally they can be categorized into the following broad categories:

- i) Remain a City-owned facility with primarily public-uses (e.g. library, museum, community space);

SUBJECT: Pier 8 Animation Program and HWT (Discovery) Centre - Status Update (PED21090) (Ward 2) - Page 5 of 6

- ii) Remain a City-owned facility with a combination of private and public uses (e.g. restaurant, convention facility, other commercial uses); or
- iii) Dispose of the property (long-term lease or sale), with or without restrictions.

On January 24, 2018, Council approved GIC Report 18-002, which included direction to investigate the feasibility of incorporating the former Parks Canada lands/building, into the Pier 8 Request for Proposals (RFP) process and to report back with a recommendation that best maximizes the disposition value, does not adversely affect the value the City can expect to receive from the Pier 8 lands, and best ties into the vision of Setting Sail and the successful developer. Staff informed the RFP Proponents of the Council direction and the general public on March 29, 2018 during a comprehensive Community Conversation Meeting. Although the future of the building was discussed during the Development Agreement (DA) negotiations with the City's Successful Proponent developer, the building was not incorporated into the final agreement.

Over time, several private and non-profit entities have approached staff with an interest in pursuing the building for various uses, and generally the public would like to see activity within the facility. Although not a condition of the DA, WSC has explicitly expressed an interest in obtaining a short-term lease for the building, with a commitment to incorporate a variety of indoor and outdoor uses including food and beverage, the continuation of meeting/event space, as well as office and marketing space for their on-site operations.

The staff recommendations are intended as initial steps in developing a decision-making framework for the future of the site. Staff have identified the need to collate a variety of pertinent background information such as the costs of existing operations, any planned or forecasted capital requirements, existing planning approvals and/or limitations, necessary parking requirements, real estate evaluations, market soundings, and other relevant due diligence information. Staff will review, analyse, and report back to the West Harbour Development Sub Committee, identifying options for future uses for the property, as well as various ownership and/or operating models.

In the interim, staff are also proposing to lease out the building on a short-term basis to maximize use of the property. Taking into consideration the site's prime location, its public ownership, and the desire to create public animation, especially during the initial stages of the Pier 8 construction, Corporate Real Estate staff will conduct a limited market offering and allow for offers over an approximate period of 60 days based on the following:

- i) Any currently unoccupied and available space within and outside of the building;

SUBJECT: Pier 8 Animation Program and HWT (Discovery) Centre - Status Update (PED21090) (Ward 2) - Page 6 of 6

- ii) Suitable uses being restricted to permitted zoning/land use regulations, with a preference for outdoor year-round programming/animation, and a desire for variety, including some food and beverage;
- iii) Minimum Term of 1-year and a Maximum Term of 5 years, with potential for options;
- iv) Structured on a Fully Net and Carefree basis;
- v) A portion of the space be available for some public meetings or events.

This framework is consistent with the City's real estate policies and procedures. Staff will report back to the Sub-Committee with proposed tenancies for approval of lease terms and conditions.

ALTERNATIVES FOR CONSIDERATION

On December 16, 2020, Council approved GIC Report 20-023, including the direction that staff report back to the West Harbour Development Sub-Committee, by the end of the first quarter of 2021, with interim and long-term strategies for the use of the HWT Centre, including animation of the surrounding outdoor area. The staff recommendations of Report PED21090 expand the previous direction by providing further specificity to the previous direction.

Alternative #1 – Do not Approve

If the staff recommendations are not approved, staff will proceed to execute the December 16, 2020 direction, and will report back to the Sub-Committee with interim and long-term strategies for the use of the Waterfront Trust Centre (formerly the Discovery Centre), including animation of the surrounding outdoor area.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Culture and Diversity


Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICES AND SCHEDULES ATTACHED

N/A



CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Engineering Services Division

TO:	Chair and Members West Harbour Development Sub-Committee
COMMITTEE DATE:	April 13, 2021
SUBJECT/REPORT NO:	Amendment to the Project Management Agreement Between the City of Hamilton and the Hamilton Waterfront Trust (PW19090(a)) (Ward 2)
WARD(S) AFFECTED:	(Ward 2)
PREPARED BY:	Ed English (905) 546-2424 Ext. 5461
SUBMITTED BY:	Gord McGuire Director, Engineering Services Public Works Department
SIGNATURE:	

RECOMMENDATION

That staff are granted the authority to amend the City's Project Management Agreement (PMA) with the Hamilton Waterfront Trust (HWT) to deliver the Piers 5-7 works to reflect the new total project cost of \$23.5M and delegate to the General Manager of Public Works the authority to sign any necessary amendments to the HWT PMA as well as any related ancillary agreements and documents each in a form satisfactory to the City Solicitor.

EXECUTIVE SUMMARY

On September 14, 2016, Council authorized the City to retain the HWT at a cost of approximately \$1.5M as project managers overseeing four projects on Piers 5-7 valued at approximately \$15.5M as outlined in GIC Report 16-020 dated September 7, 2016.

Subsequently, on October 22, 2019, the West Harbour Sub-Committee received Report PW19090 and extended its direction to staff to complete these projects at a cost of approx. \$23.5M and that HWT's fee would remain at approximately \$1.5M.

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SUBJECT: Amendment to the Project Management Agreement Between the City of Hamilton and the Hamilton Waterfront Trust (PW19090(a)) (Ward 2) - Page 2 of 6

This report seeks specific authority to amend the City's PMA with the HWT to reflect the new total project cost of \$23.5M and delegate to the General Manager of Public Works the authority to sign any necessary amendments to the HWT PMA as well as any related ancillary agreements and documents each in a form satisfactory to the City Solicitor.

Alternatives for Consideration – See Page 5

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The Terms of Reference (Section 13) contained within the PMA indicate the total fees payable to the HWT will remain at \$1.552M regardless of the change in total cost on the project. Therefore, the fees payable to the HWT are unchanged.

Staffing: City staff will continue, in partnership with the HWT, to be delivering the Piers 5-7 sub- projects. The PMA has been structured to optimize staff resources and eliminate duplication of work. The City's Waterfront Development Office staff will approve the project design, the tendering process and will ultimately accept the final deliverable, while the HWT will be overseeing the work on a daily basis with City staff assisting as required.

Legal: The City's Legal Services Department has been, and will continue to be, involved in the preparation of Terms of Reference, Agreements and Contracts with the HWT, arising out of the PMA.

HISTORICAL BACKGROUND

Effective January 7, 2015, the City and HWT entered into a Project Management Agreement (PMA) which outlined the terms and conditions under which the City would retain the HWT to manage select City projects along the Hamilton waterfront. The PMA states that all such projects "will be defined in detail and shall have specific terms and conditions set out in each Project's Terms of Reference and Project Charter". The PMA does not specifically identify the City's signing authority for these Terms of Reference.

At the West Harbour Development Sub-Committee May 5, 2016 meeting, members indicated a desire to advance public realm projects identified in the West Harbour Waterfront Recreation Master Plan ("WHWRMP") located on the Piers 5-7 lands.

In accordance with the Sub-Committee's direction, on June 6, 2016, Council approved General Issues Committee ("GIC") Report 16-015 which directed:

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SUBJECT: Amendment to the Project Management Agreement Between the City of Hamilton and the Hamilton Waterfront Trust (PW19090(a)) (Ward 2) - Page 3 of 6

- (a) That support for the West Harbour Waterfront Recreation Master Plan be reaffirmed;
- (b) That staff be directed to consult with the Hamilton Waterfront Trust for development of plans for Piers 5 to 7; and
- (c) That staff be directed to report to the West Harbour Development Sub-Committee with a proposal to increase staffing resources for the Waterfront Development Office so that the West Harbour Waterfront Recreation Master Plan can be implemented.

At the August 4, 2016 West Harbour Development Sub-Committee meeting, staff presented a preliminary plan to expedite the Piers 5-7 public realm projects by utilizing the services and expertise of the HWT through the existing Project Management Agreement dated January 7, 2015 (“PMA”). Staff also identified additional considerations required for successful implementation of the projects, including an operating protocol to facilitate satisfactory project delivery, changes to the 2017 capital budget, a budget forecast required to expedite the projects, and the need for an intensive public engagement plan.

Subsequently, on September 14, 2016, Council approved GIC Report 16-020 which directed:

- (a) That staff be directed to formalize an operating protocol with the Hamilton Waterfront Trust (HWT), for the planning, design, and implementation of the City of Hamilton’s public realm projects on Piers 5 to 7, based on the Terms and Conditions of the existing Project Management Agreement dated January 7, 2015, between the City of Hamilton and the HWT;
- (b) That staff be directed to report back to the next West Harbour Development Sub-committee meeting respecting an operating protocol with the Hamilton Waterfront Trust, as detailed in sub-section (a); and
- (c) That staff be directed to update the 2017 Capital Budget submission and the future budget forecast as required to reflect the accelerated cash-flow requirements of the Piers 5 to 7 and Pier 8 public realm projects.

At its October 11, 2016 meeting, the West Harbour Development Sub-Committee received Information Report PW16088 by which staff updated members on the nature of the public realm works and the proposed arrangement with the HWT.

➤ Summary of Piers 5-7 Public Realm Project

The Project includes heavy civil works for reconstruction of the shoreline, boardwalk construction, construction of a commercial village, public space, the re-purposing of

SUBJECT: Amendment to the Project Management Agreement Between the City of Hamilton and the Hamilton Waterfront Trust (PW19090(a)) (Ward 2) - Page 4 of 6

existing buildings for public amenity spaces. The Project is comprised of the following sub-projects:

- ❖ Piers 5-7 Marina Shoreline Rehabilitation;
- ❖ Piers 5-7 Boardwalk;
- ❖ Pier 6 Artisan Village; and
- ❖ Pier 7 Commercial Village.

The West Harbour Development Sub-Committee received Report PW19090 at its October 22, 2019 meeting, and extended its approval:

- (a) That staff be authorized to direct the Hamilton Waterfront Trust to proceed with tenders for 100% of the previously approved Capital works, in the amount of \$13.5M, on Piers 5-7 for the following projects in 2019:
 - (i) Project ID 4411506107 – Piers 5-7 Marina Shoreline Rehab (Approved Budget \$10.2M); and
 - (ii) Project ID 4411606102 – Piers 5-7 Boardwalk (Approved Budget \$3.3M);
- (b) That staff be directed to make necessary modifications to the West Harbour Capital program to re-direct funding allocated to future projects to the Piers 5-7 Public Realm Project with the intent to not increase the overall program budget in years 2020-2022.

Although Council gave approval in 2019 for the increase in spending for the Piers 5-7 Public Realm projects, the City's Legal Services Department is of the opinion that staff did not receive the clear authority to execute a contract with the HWT in excess of \$15.5M

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

None

RELEVANT CONSULTATION

Terms of References, Agreements and Contracts have been prepared in consultation with Legal Services, Procurement and Corporate Financial Planning and Policy.

Externally, staff have collaborated with the Executive Director of the Hamilton Waterfront Trust.

SUBJECT: Amendment to the Project Management Agreement Between the City of Hamilton and the Hamilton Waterfront Trust (PW19090(a)) (Ward 2) - Page 5 of 6

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The HWT will continue to deliver and be responsible for the planning, design, construction and contract administration of several projects arising out the PMA including the Piers 5-7 Public Realm Projects.

Staff is seeking clear authorization from Council, at Legal Services advice, to enter into and execute contracts in excess of \$15.5M with the HWT. As outlined above, Council has granted approval in 2019 for the increase in spending for the Piers 5-7 Public Realm projects.

ALTERNATIVES FOR CONSIDERATION

If Council chooses not to grant clear authorization for staff to direct the HWT for work beyond the value of \$15.5M, staff will be required to return to Council seeking approval for each contract, even though Council has already approved the project and associated financing, and beyond that, the remainder of the Piers 5-7 Public Realm projects may not be able to be completed.

Staff propose that clear authorization will result in a more efficient process without detracting from Council oversight.

Financial: There are no financial implications associated with this alternative

Staffing: There are no staffing implications associated with this alternative

Legal: There are no legal implications associated with this alternative

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

Built Environment and Infrastructure

Hamilton is supported by state-of-the-art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES AND SCHEDULES ATTACHED

SUBJECT: Amendment to the Project Management Agreement Between the City of Hamilton and the Hamilton Waterfront Trust (PW19090(a)) (Ward 2) - Page 6 of 6

None.

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