



## BID COMMITTEE REPORT

Meeting Date: June 2, 2022  
Contact: Alexander Ralph  
Contact No.: 604 829 2092

TO: Bid Committee  
FROM: Chief Procurement Officer, Director, Supply Chain Management

### RECOMMENDATION

**Recommendation** to negotiate and execute a lease agreement (enter into a contract) with W.A.V.A.W./R.C.C.: Women Against Violence Against Women/Rape Crisis Centre (“WAVAW”) as the tenant and non-profit operator of 4,801 square foot (gross) for unit #235 on the 2<sup>nd</sup> floor of the social service centre (the “Centre”) at 1101 Seymour Street legally described as: PID 029-321-808; Lot 1 Block 93 Plan EPP40740 District Lot 541 NWD Group 1 (the “Property”);

**Recommendation** to negotiate and execute a Sub-sublease agreement (enter into a contract) with QMUNITY BC’s Queer, Trans, and Two-Spirit Resource Centre Society (“QMUNITY”) as the Sub-subtenant and non-profit operator of the new social facility that will be co-located in a mixed use development at 981 Davie Street, legally described as: PID 015-484-203; LOT 16 BLOCK 90 PLAN VAP210 DISTRICT LOT 541 NWD;

**Recommendation** to negotiate and execute an amended licence agreement (the “Sole Food Licence”) with Cultivate Canada Society, dba Sole Food Street Farms (“Sole Food”), for an approximate 95,000sf portion of City owned lands located at 215 West 1st Avenue, legally described as PID: 026-979-772 Lot 327 False Creek Plan BCP28525 and 1850 Spyglass Place, legally described as PID: 026-498-502, Lot 308, except part on Plan BCP29724, False Creek Plan BCP20723 (collectively, the “West 1<sup>st</sup> Property”);

The Chief Procurement Officer recommends that the Bid Committee approve the entry into the following contracts, provided that such contracts shall not be entered into until approved by Council with eight (8) affirmative votes, as required by the Vancouver Charter, subject to final negotiations under the following conditions:

Term and Renewals for contract with WAVAW: Five years, plus the opportunity for renewal at end of term for one additional 5-year term (ten (10) years total term).

Term and Renewals for contract with QMUNITY: Five years, plus the opportunity for renewal at end of term for five (5) additional 5-year terms (thirty (30) years total term).

Term and Renewals for contract with Sole Food: The existing Sole Food Licence at the West 1<sup>st</sup> Property (which expires October 31, 2023) will be amended to allow for the proposed extension of the term to October 31, 2025.

Each renewal option is conditional upon the City being satisfied that WAVAW, QMUNITY, and Sole Food have the capacity to operate, maintain and program the respective facilities in accordance with the lease and licence terms, and Social Policy and Projects staff will regularly review to ensure that quality programming is maintained.

Total Rent from WAVAW and QMUNITY: Ten dollars (\$10.00) for each term or renewal term, inclusive of payment of rent in lieu of property taxes, and building operating costs on a proportionate share basis.

Total Rent from Sole Food: Ten dollars (\$10.00) for the term, subject to an early termination provision in favour of the City upon 6 months' notice and reconfiguration clause due to anticipated development of the site as set out in the Southeast False Creek Official Development Plan.

Form of Lease: The WAVAW and the QMUNITY leases shall be based on the City's Precedent Lease for Non-profit Entities (Cultural/Social). As stated above Sole Food has a licence agreement with the City to operate at the West 1<sup>st</sup> Property.

Description of Services:	Operate 4,801 sq ft of vacant space on the 2 <sup>nd</sup> floor of 1101 Seymour Street and provide support services to survivors of sexualized violence with shared experiences of gender oppression: women, Two-Spirit, trans and/or non-binary people.
	Operate the social facility at 981 Davie Street and provide support for the 2SLGBTQIA+ community.
	Extension of the current licence for portions of City-owned property at 215 West 1st Avenue and 1850 Spyglass Place (collectively, the “West 1 <sup>st</sup> Property”) for urban farm use
Recommended Service Providers:	W.A.V.A.W./R.C.C.: Women Against Violence Against Women/Rape Crisis Centre (“WAVAW”)
	QMUNITY BC’s Queer, Trans and Two-Spirit Resource Centre Society (“QMUNITY”)
	Cultivate Canada Society, dba Sole Food Street Farms (“Sole Food”)
Contract Term:	Term and Renewals for contract with WAVAW: Five years, plus the opportunity for renewal at end of term for one additional 5-year term (ten (10) years total term)
	Term and Renewals for contract with QMUNITY: Five years, plus the opportunity for renewal at end of term for five (5) additional 5-year terms (thirty (30) years total term)
	Term and Renewals for contract with Sole Food: Extension of the current licence at the West 1 <sup>st</sup> Property (which expires October 31, 2023) to October 31, 2025.

**COMMENTS**

For the recommended contract, the following requirements have been met:

- a) The contracts are proposed to be entered into with the vendor offering the best value, determined in accordance with the criteria, factors or methods as presented in this document;
- b) Financial Planning & Analysis and the applicable business unit have reviewed and concur on the budget and recommendation;
- c) Bid Committee approval authority exists and Council approval is required due to the term and the value of the lease;

- d) The Director of Legal Services, Chief Procurement Officer, Director of Finance, General Manager of Arts, Culture and Community Services and Director of Real Estate Services, are authorized to execute and deliver all legal documents on behalf of the City; and,
- e) The Bid Committee approval is pre-contract award, the final contract information may vary subject to final negotiations and award.

## **DECISION**

THAT Bid Committee approve the entry into contracts with WAVAW, QMUNITY and extend the current contract with Sole Food.

Since the total rent for each term and any subsequent renewal term is to be set at a nominal rate of \$10.00, this is considered a grant based on the fair market value of the lease / sub-sublease / licence and is subject to approval by a 2/3 majority of Council.

City of Vancouver Standing Authority allows the General Manager of Real Estate and Facilities Management or the Director of Finance to approve the material terms of leases where the total rental value is less than \$1,000,000 for terms (including renewal options) of no more than 10 years and where City standard documentation is not amended. However, this authority excludes any lease of real property of any value or any term for “social purposes.” In such situations, the lease must be approved by Council. In addition, leases that are provided at less than market rent are considered equivalent to a grant to the tenant and therefore require approval by eight affirmative votes of Council as per Section 206 (1) of the Vancouver Charter.