



FOR APPROVAL

PUBLIC

OPEN SESSION

TO: Governing Council

SPONSOR: Scott Mabury, Vice President, University Operations
CONTACT INFO: 416-978-7116, scott.mabury@utoronto.ca

PRESENTER: Scott Mabury, Vice President, University Operations
CONTACT INFO: 416-978-7116, scott.mabury@utoronto.ca

DATE: April 29, 2014 for June 25, 2014

AGENDA ITEM: 3. (d.)

ITEM IDENTIFICATION:

Revisions to the Terms of Reference of the Design Review Committee

JURISDICTIONAL INFORMATION:

The Business Board has responsibility for policy on financing and execution of capital projects and approval of any transactions as required by policy.

GOVERNANCE PATH:

1. Planning and Budget [for recommendation] (May 14, 2014)
2. Academic Board [for recommendation] (June 2, 2014)
3. Business Board [for recommendation] (June 12, 2014)
4. **Governing Council [for approval] (June 25, 2014)**

PREVIOUS ACTION TAKEN:

In 2001, the Governing Council approved the *Policy on Capital Planning and Capital Projects*, which formalized the planning and implementation processes of all new capital projects in excess of \$2 million. An Appendix of that Policy contained the Terms of Reference for the Design Review Committee.

In June 2010, the Task Force on Governance, recognizing that much of the transactional load within Governing Council related to the approval of capital projects, asserted that “the appropriate role of governance would be fulfilled through the review and approval of capital plans and related budgetary envelopes, and review and approval of significant projects exceeding a particular threshold” and made the following recommendation:

Recommendation 17 – Streamline Consideration of Capital Planning and Capital Projects

THAT the administration undertake a review of the Policy on Capital Planning and Capital Projects (2001) with a view to refining the review and approval process related to capital planning and capital projects, introducing the review and approval of capital plans and related budgetary envelopes, and refining the review and approval of significant projects exceeding a particular threshold. In conjunction with this review, the relevant Chairs and the Secretariat will review and make recommendations on revisions to the terms of reference of the Planning and Budget Committee and the Academic, Business and University Affairs Boards to clarify their respective roles.

On May 16, 2012, that *Policy* was approved by the Governing Council. Further updates, with minor modifications to this *Policy*, were approved by the Governing Council in October 2013 to reflect governance changes at UTM and UTSC. However, the Terms of Reference for the Design Review Committee were not reviewed at that time.

HIGHLIGHTS:

It is proposed that the *Terms of Reference for the Design Review Committee* be updated to address the matters summarized below:

- The 2001 *Terms of Reference for the Design Review Committee*, as intended, was a mix of policy and some detailed procedures developed at that time to guide the University through a period of significant expansion. Given the knowledge and experience gained during those years, it is appropriate now to separate policy from procedure. The former should comprise statements of principle, assignment of authority and mechanisms of accountability; the latter derive from the policy and are intended to address operational practices that may change from time to time but consistently ensure the policy's intent is fulfilled. The procedures section of the revised document address related operational practices in a more substantial way.
- The policies and procedures contained in the 2001 *Terms of Reference of the Design Review Committee* contain references to committees and university departments that no longer exist or have changed names. A freshening of the document is required.
- The 2001 *Terms of Reference* did not anticipate the impact on the review process necessitated to accommodate the use of a Design Build process which has been favoured in recent years, particularly on the east and west campuses.

The significant changes to the *Terms of Reference for the Design Review Committee* are summarized below:

- Although the Committee primarily focuses on capital projects sufficiently large to require approval by Governing Council on the basis of Project Planning Reports with a total cost of \$3 million or more, greater emphasis is now given to projects of lesser value, that have a significant exterior design component or impact on public and open spaces or affect historically listed or designated buildings. These projects are also to be reviewed by the committee.
- Projects being procured through a Design Build process are to have an initial review by the Design Review Committee immediately after selection of the Design Build team.
- The Committee will comprise 12 members and is to be chaired by the Assistant Vice President Planning Design and Construction. Among the members four, appointed by the President, must hold professional degrees in their respective fields – architecture, landscape architecture, urban design or city planning and expertise in sustainable design and in heritage buildings and landscapes would be welcome. Two members from Governing Council, its Boards or the wider University Committee are to be appointed by the President, at least one of which is a non-university employee.
- Text has been added to the document to better reflect the mandate of the Design Review Committee as an advisory body. The role of the Design Review Committee is to highlight key design issues for the University, share expertise with staff and colleagues, and encourage others to act on their advice by clearly articulating strengths, weaknesses, and needed revisions to, designs and plans proposed for the University. Comments and recommendations of the Design Review Committee are to be given utmost consideration and should be incorporated where possible into projects. The Terms of Reference state that the President is responsible for solving any problems that arise with regard to the DRC. If, on consideration the proponents of a project cannot satisfactorily address the concerns of the Design Review Committee, the Chair of the Committee can decide to advance the issue to the President or Designate. The need to further any issue in a timely manner is critical where schedule and/or budget are at risk as a result of the deliberations of the Design Review Committee.
- A Procedures section has been added to provide clarity to the operation of the Committee and is intended to be a living part of the document and allow for updates and modifications where necessary. These procedures now include a number of guidelines:
 - for the composition of the Architect Selection Panel, the architect selection process and the evaluation of consultant teams
 - for the design review presentation process and for follow-up

- The Terms of Reference continue to provide for the reporting of Committee activities to the Governing Council on a basis established by the Executive Committee.

It is expected that the administration will undertake a review of the *Terms of Reference of the Design Review Committee* no later than five years after its effective date to ensure that the *Terms* continue to meet the University's needs.

FINANCIAL IMPLICATIONS:

There are no resource implications associated with the approval of this document.

RECOMMENDATION:

Be It Resolved

THAT the revised *Terms of Reference for the Design Review Committee* be approved, to be effective July 1, 2014.

DOCUMENTATION PROVIDED:

Design Review Committee Terms of Reference

Design Review Committee

TERMS OF REFERENCE

The continuing development of a modern university campus is no easy challenge. For the University of Toronto, which possesses an extraordinary variety of architectural styles, this challenge is certainly amplified and requires careful attention.

A campus expresses (architecturally) something about the quality of its academic life, as well as its role as a citizen of the community in which it is located. The campus also represents many different things to various groups of people who live, learn, teach or visit there. It plays the role of home, museum, place of employment, social center, park, arena for dissent, and forum for the search for truth. All these functions must be designed not only for today but also for the future [Richard Dober, Campus Architecture, New York: McGraw-Hill, 1996].

Given the interest of prospective faculty and student recruits in working, studying, and dreaming in an inspiring and creative physical environment, the University's commitment to inspirational design must be consistent with (and indeed, a core component of) its highest academic aspirations. It is essential that the University of Toronto, as Canada's leading research intensive university, and as an institution firmly determined to stand among the top publicly funded research intensive universities in the world, integrates this commitment to excellence into each and every dimension of planning and design related activities. The standards for design excellence should be no less exacting than those that are set in the academic sphere; as campus design has a profound impact on the character and quality of human interactions within the university community.

For all three campuses of the University of Toronto the challenge is to effectively integrate the new with the existing and heritage structures to achieve an interconnectivity with intelligent green landscaping, to be cognizant of the cultural landscape that exists and to ensure that new landmark buildings incorporate quality designs and materials that systematically will serve to strengthen and enrich this campus interconnectivity. Delivering design excellence from concept through execution is a requirement of all projects. As an institution made possible by public funds and, increasingly, the generous support of donors, the University is also committed to capital projects that are fiscally responsible. The harmonization of design excellence with budgets, constructability and longevity resulting in building significant historical and architectural sites, within the envelope of available budgets and schedules is critical.

1. Mandate

The Design Review Committee (DRC) advises the President or designate¹ on the development of campus built form environments, in order to enable the President to implement the University's commitment to a level of excellence in this area comparable to that established for its academic activities. The Committee

¹ Normally the Vice-President, Operations or equivalent, as may change from time to time.

uses high standards in discharging its duties with respect to design review and the interplay of design issues with other planning concerns, including heritage, and is to be represented on architect selection committees. The Committee primarily focuses on Capital Projects sufficiently large to require approval by Governing Council pursuant to the *Policy on Capital Planning and Capital Projects* on the basis of Project Planning Reports.² However, projects of lesser value, that have a significant exterior design component or impact on public and open spaces or historically listed or designated buildings, should also be reviewed by the Committee. All projects are assessed with respect to approved Master Plans, which will also be reviewed from time to time by the DRC.

The Committee's mandate includes:

- 1.1 Reviewing and making recommendations on conceptual design for building and landscape projects³. Matters under review should include the extent to which overall campus planning and design objectives are met, design excellence is achieved and environmental and heritage issues are addressed. The Committee focuses primarily on the overall integrity of the basic design, rather than on design details⁴.
- 1.2 Advising on campus master plans, on the University's campus planning principles within those plans and on physical planning and building design.
- 1.3 Representation on the Architect Selection Committees for the appointment of architects, urban designers and landscape architects for all projects within its terms of reference with an exterior design component and public spaces and for all renovations or alterations to historically designated or listed buildings or to University Open Spaces⁵.
- 1.4. Being available for consultation, on an as-needed basis, by administrative officers responsible for campus planning and design.
- 1.5. Reporting to the Governing Council on its activities, on a basis to be established by the Executive Committee of Governing Council.

² Under the *Policy on Capital Planning and Capital Projects*, approved by the Governing Council on October 31, 2013, this is for projects with total cost of \$3 million or more.

³ Such reviews are normally required at the following stages: (a) prior to finalization of schematic plans, in order to ensure timely and effective oversight of the basic approach being taken to individual projects, (b) at the conclusion of design development, to review landscape and material and palette proposals, (c) for Design Build projects, an initial review should occur immediately after the selection of the Design Build team to review the schematic design prepared during the selection process - and (d) at any other time during project development when the Co-Chairs of DRC consider it advisable to review the fundamental design aspects of a project..

⁴ The reviews are intended to be sufficiently rigorous that the overall conformity of the proposal to the high standards expected of it can be assessed, both with respect to design and in terms of its integration with other elements of the University's built form environment. While issues arising from different or conflicting views are expected to be resolved at the committee level, the President, will, if needed, resolve any outstanding issues.

⁵ The University's normal approach to design of major capital projects is to choose consultants, who will then work with users and others to develop a building design. However, a Design-Build approach (or Alternative Finance and Procurement – AFP or Design, Build, Finance, Maintain – DBFM) may also be considered. It may also be advisable on occasion to choose consultants [architects] for a specific project on the basis of a design competition, instead of via a selection process. Such competitions are established at the discretion of the Vice President University Operations after consultation with the AVP University Planning, Design and Construction and the DRC.

The Committee will discharge its functions, at the discretion of its Chairs, either in full committee or in panels.

2. Membership

The Design Review Committee will comprise a total of 12 members including 6 *ex officio* members as set out below. The membership of the Committee represents a collection of design experts, campus planners, university operations and services, and representatives of the three campuses.

The Chair of the Committee will be appointed by the President and will have appropriate knowledge of design principles and practices as acquired through a significant body of professional design practice. The Assistant Vice-President University Planning Design and Construction (AVP, UPDC) will serve as Co-Chair.

Appointed Members:

- Four persons appointed by the President because of their professional expertise and qualifications in the fields of architecture, landscape architecture, urban design, and city planning at least two of whom shall be drawn from the external community. Appointees with expertise in sustainable building and design, and in heritage buildings and landscapes would be desirable. These four members must hold a professional degree in their respective fields
- Two members from the Governing Council, its Boards or the wider University community, with particular relevant interest or experience, are to be appointed by the President after consultation with the Chairs of the Academic and Business Boards. At least one of the two members shall be from among the alumni or Lieutenant Governor in Council (LGIC) estates.

Ex Officio:

- The Dean of the Daniels Faculty of Architecture, Landscape, and Design (or designate)
- The Executive Secretary to the Chair of the DRC will be the Director, Campus Facilities and Planning and secretariat services to the Committee will be provided by that office.
- Vice-President, University Operations (or designate)
- Assistant Vice President, UPDC (co-chair)
- The Director of Project Development, UPDC
- The Director of Project Management, UPDC

Ex Officio for UTSC and UTM projects:

- The Vice-President and Principal of University of Toronto Mississauga (or designate)
- The Vice-President and Principal of University of Toronto Scarborough (or designate)

Ex Officio members are voting members of the Committee.

Following consultation with UTM/UTSC Vice-President and Principal, additional individuals with relevant expertise will be co-opted, as needed, to further strengthen particular campus representation when campus-specific Capital Projects are tabled for review. Such members will be non-voting and may

include the Chair of the relevant Project Committee and other Project Committee members, as appropriate, when individual projects are discussed.

The Committee's members, other than the *ex officio* members or their designates, will normally be expected to serve for terms of up to three years, renewable up to a total of 6 years consecutive service. Appointments should be staggered to ensure continuity.

On a regular schedule the DRC should seek input from members of Simcoe Hall Vice-Presidents Group/Tri Campus Vice-Presidents Group (SVP/TVP).

PROCEDURE

1. Method of Operation

The Design Review Committee will normally meet on a monthly basis or as required. To accommodate campus specific reviews of capital plans, meetings will be held, where possible, on that particular campus which corresponds to the agenda items under review. This will also allow the DRC to be fully informed of the site specific conditions as these relate to the project. An important role of the *ex officio* members, particularly for the UTM and UTSC representatives is to assist in the coordination of the DRC meetings held at the Scarborough and Mississauga campuses and ensure the appropriate campus representation at these meetings.

The members of the Design Review Committee will need to make themselves available beyond the academic year to accommodate the critical timelines involved in the design of capital projects.

It is also necessary to ensure that meetings, and follow up correspondence from the Committee to the consultant teams is timely.

2. Architect Selection Panel

The Architect Selection Panel is to be composed of:

- Chair, the VPUO or the AVP UPDC
- Chair (or designate) of the relevant Project Planning Committee
- An additional member of the Project Planning Committee
- One member of the Design Review Committee (or designate)
- An architect recommended by the Dean of Daniels Faculty of Architecture, Landscape, and Design,
- Director of Campus and Facilities Planning
- Director of Project Development
- Director of Project Management
- Planner responsible for the project is to be a non-voting member on the Panel
- Principal of UTM or the Principal at UTSC (or designate), for capital projects on those campuses

To be more clear, the project client will have two representatives in the final architect selection and in the case of UTSC and UTM, there will be three representatives.

Further information about architect selection can be found in Appendix A.

3. Design Review Presentations

Presentations are made to the Design Review Committee a minimum of two times for each project as described below. Additional meetings may be required as determined by the Co-Chairs.

a. Initial presentation

The initial presentation is the opportunity to address the overall concept of the project including relevant background and context and should be timed to ensure that the development of the scheme does not progress to a point where necessary revisions would cause scheduling or budgeting difficulties to the project and thus should be made prior to the finalization of schematic plans, or in the case of Design Build projects, immediately after the selection of the Design Build team.

At least one week prior to the initial presentation a short accompanying piece may be prepared by Campus and Facilities Planning if additional information is deemed required to provide further context: this could include material from the public documentation that was approved by Governing Council or the Project Planning Report itself and may address schedule as well as any other significant constraints on the project.

Prior to the first presentation, a one page text information sheet, prepared by the consultant team, is emailed to the Committee so that the Committee can be familiarized with the project. This information, briefly describing the project should be submitted to the Secretary of the Committee at least three working days prior to the meeting. At the meeting, poster boards, models or power point can be used to explain the scheme. The proposal must be accurately represented within the context of the Campus Master Plan.

The information that is circulated to the Committee prior to the presentation should outline:

- use
- gross floor area
- anticipated Committee of Adjustment or Zoning variances
- under use or overuse of the site
- site plan identifying the location of the building in the context of the campus
- topographical plans if relevant
- detailed plan showing the particulars of the development on the immediate area or the block
- site specific guidelines (from the City or from the Master Plan, including heritage designation) if any pertaining to the site.

The presentation of the proposal to the Committee should address:

- campus wide issues including landscape improvements
- amenities
- site issues including massing, and context
- building design showing the entrances and servicing to the site
- preliminary elevations
- parking, loading, and traffic impact

The Committee may choose to continue discussion of a project after completion of the presentation, and in the absence of the proponents, in order to clarify comments that are to be provided to the consultants. The comments of the Design Review Committee are forwarded to the consultants, within ten (10) working days for consideration. The comments should represent the findings of the Committee without attributing comments to individual members, offer a summary setting out in detail the panel's conclusions

on a scheme; point out where the strengths and weaknesses lie; contain a proper grasp of design issues; and be frank about the design quality and constructive in the concluding advice.

The comments of the Design Review Committee should give clear direction as to what elements of the project require further consideration by the project team. Where members of DRC have expressed differing perspectives clarity is to be provided by the Chair.

b. Second Presentation

If required, the consultants will make a second presentation showing how their proposal responds to the comments of the Design Review Committee at the initial presentation. Material responding to those comments should be circulated to the Committee prior to the second presentation.

The comments of the Design Review Committee are recorded by its secretary, within the parameters described above and distributed as appropriate. Any additional comments will be forwarded to the consultants within ten (10) working days.

c. Third Presentation

The final presentation occurs during the design development stage where the details of the building have been determined. Samples of the material palette should be presented. The landscape plan is also presented to clearly illustrate the articulation of the open space within the site and any impacts to adjacent areas. The total project as presented to the Committee, including the materials and landscaping must fall within the project budget. Any vulnerable areas, because they may be in excess of the budget is expected to be identified with the proposed alternates.

Where possible, materials should be distributed prior to the meeting to the DRC.

The comments of the Design Review Committee are recorded by its secretary, within the parameters described above and distributed as appropriate. Comments will be forwarded to the consultants within ten (10) working days.

d) After the Presentations

The Design Review Committee is an advisory body. All parties involved in campus building should be committed to excellence in the planning, design and construction of projects. Within this broad mandate, which includes a commitment to excellence in design, University staff, Academic Divisions and other user groups are obligated to focus on maintaining schedules and budgets, and on the delivery of required programs and functions. In this context, the role of the Design Review Committee is to highlight key design issues for the University, share expertise with staff and colleagues, and encourage others to act on their advice by clearly articulating strengths, weaknesses, and needed revisions to, designs and plans proposed for the University.

Comments and recommendations of the Design Review Committee are to be given utmost consideration and should be incorporated where possible into projects. The Terms of Reference state that the President is responsible for solving any problems that arise with regard to the DRC. If, on consideration the proponents of a project cannot satisfactorily address the concerns of the Design Review Committee, the

Co-Chairs of the Committee can decide to advance the issue to the President or Designate. The need to further any issue in a timely manner is critical where schedule and/or budget are at risk as a result of the deliberations of the Design Review Committee.

Appendix A

Engagement of Architects

While in many cases architectural firms may demonstrate capacity in both the design and execution of projects the University recognizes that some may possess more strength in one area or the other. Firms may enter the proposal call as a sole firm or with a joint venture proposal. In the event of a joint proposal the roles and responsibilities should be clearly delineated. Competence in both design and execution should be demonstrable.

Currently, for architectural service procurements where the fees are anticipated to be in excess of \$100K:

1. An RFP is issued describing the nature and scope of services required providing as much background and support material as appropriate (PPR, Room Data Sheets, along with other pertinent material such as engineering and feasibility studies if applicable, and, upon submission of a confidentiality agreement, construction budget information is disclosed). Included in the RFP is an evaluation matrix (Sample below).
2. Upon receipt of responses submissions are vetted for technical compliance with the requirements. (Sample list of compliance requirements below)
3. Compliant submissions are distributed with an evaluation sheet to the individual members of the Architect Selection Panel to be reviewed and graded according to the published Evaluation Matrix. The graded evaluations are submitted to Project Development and a matrix will be used to compare the scores of each evaluator ranking the proponent firms submissions. At this point a meeting of the Panel is called to allow for a full discussion of the evaluations and to develop a final agreed upon ranking and a short list of firms selected for interviews (4-6 firms). A combined evaluation matrix will emerge from this discussion and reflect the collective views of the Panel.
4. Interviews with shortlisted firms are scheduled. At the interview stage the Architect Selection Panel may have additional members from the Project Planning Committee added as non- voting observers. Interviews are customarily under an hour each: 25 minutes for presentations and 20 minutes for questions. Time is set aside after each interview for a brief caucus of the Panel to discuss the presentation. A second “interview/presentation” rating matrix is distributed to the selection committee to formalize their ranking of interviewees.
5. Upon completion of the interviews a meeting of the Architect Selection Panel is called to discuss and summarize the interviews and select a firm to move forward with. If necessary, second interviews with one or more shortlisted firms may be scheduled. In the unusual event that all shortlisted firms prove wanting during the interview a second set of interviews with second tier candidates may occur.

For projects where the fees are expected to be below \$100k proposals may be solicited from 4-5 firms whose experience and profiles suggest suitability for the project at hand. Customarily a full evaluation committee will not have been struck for these smaller projects.

A Sample Evaluation Matrix:

The following is a sample matrix and may be adjusted depending on the scope, budget and intent of the project.

Project Understanding, proponent Experience – 40 points

- Understanding of Project program, goals and vision
- Demonstrated design excellence
- Experience with projects of a comparable scale
- Experience with projects with similar programs
- Understanding of project budget
- Acceptance of Milestone Schedule A.3
- References

Methodology and Approach – 35 points

- Proven ability to deliver, on schedule co-ordinated projects with a minimum number and value of co-ordination related Change orders
- Comprehensive services offered by *Consultants*
- Personnel assigned to the project
- Has the entire project team worked together before? If so, what projects?
- Commitment to sustainability

Fee Structure – 25 points

- Lump sum fee
- Upset disbursement
- Total Fee plus disbursement

Score – Maximum 100 points

Sample list of compliance criteria

Proposals will be deemed non-compliant and will be disqualified from the RFP process if;

- Proposal not submitted by submission deadline
- Proposal not Signed
- Proposal does not acknowledge all RFP Addenda
- Proponent did not attend Mandatory Site Tour
- Original copy of proposal missing pages of significant content
- Proposal includes qualifications that significantly affect the terms of the RFP
- Proposal Response Form contains blank or illegible fields
- Proposal does not include a statement that acceptance of form of contract is “without amendment” or “with limited amendments as described in the points of negotiation document”
- Proposal does not include a complete list of consultants required to be engaged or coordinated by the architect
- Proponent contacts member(s) of the evaluation committee (except the project manager).
- Proponent does not meet liability insurance or professional membership requirements.