

Riverside Park Community and Recreation Association

An Analysis of the Request for Offers Document Issued by the OCLDC in July 2016 (for 3071 Riverside Drive)

This summary was prepared by the Riverside Park Community and Recreation Association (RPCRA) on January 15, 2017. You can find it and the July 5, 2016 revision of the City's RFO document on our website at <http://riversidepark.ca/wp/2017/01/blog/redevelopment-of-bayview-lands-reading-list/>.

The Request for Offers (RFO) document was prepared and issued by the Ottawa Community Lands Development Corporation (OCLDC). It solicits proposals from potential buyers of the property and states a number of requirements that potential buyers should meet. It sets a "marking scheme" and assigns points for each component of the bidder's proposal, depending on whether it meets the requirements of the RFO. The proposal with the most points wins the auction. The July 5, 2016 RFO document was obtained by the RPCRA with the help of River Ward Councillor Riley Brockington on Sept. 8, 2016. Prior to that it was not public.

The mandate and purpose of the OCLDC is described in the following document on our website: <http://riversidepark.ca/wp/wp-content/uploads/2017/01/2014-Mandate-of-the-OCLDC.pdf>.

The OCLDC Board currently contains 5 members of Ottawa City Council, all of whom also sit on the Finance and Economic Development Committee (FEDCo). FEDCo is a "Committee of Council" and its mandate includes "receiving" recommendations from OCLDC and making recommendations to the full City Council. OCLDC Board meetings are not public. Even a City Councillor who is not on the Board is required to sign a non-disclosure agreement in order to attend one of their meetings.

A recommendation to accept a particular bid for 3071 Riverside Drive was presented by City staff to FEDCo in a public committee meeting on Nov. 1, 2016. That document, primarily containing what has been referred to as the "bubble diagram" is available on the RPCRA website at http://riversidepark.ca/wp/wp-content/uploads/2016/11/06-ACS2016-CSD-REP-0008-3071-Riverside-Drive_Accessible-4.pdf.

The entire process of putting up 3071 Riverside Drive for sale, from the writing of the RFO to the current time, has been confidential, except for the public release of the RFO text in early September at the request of the RPCRA and a "bubble diagram" publicly released one week before the Nov. 1, 2016 FEDCo meeting. The process has been structured so that the City Council has "received" the recommendation but in terms of details, has seen only the bubble diagram. The bubble diagram is a limited "executive summary", showing a map of the land with proposed zoning superimposed in several areas.

The “Marking Scheme”

Point assignments listed in the July 20, 2016 RFO for 3071 Riverside Drive are as follows:

1. 10 points – Bid “Closing before year-end 2016 and Purchaser’s conditions for closing”.
2. 50 points – “Highest offer achieves score of 50 points (offer must be for the entire property)”.
3. 20 points – The bid is “in keeping with the City’s Official Plan policies regarding Intensification, and the applicable Secondary Plan policies for the Riverside Park neighbourhood, **and the City’s conceptual design plan that was developed in consultation with the existing community.**”
4. 5 points – “Elevation drawings should show design and finishes of proposed unit types.”
5. 5 points – “The proposed Concept Plan must incorporate a minimum park area of 0.6 hectares (1.5 acres) in accordance with the Terms of Reference outlined below.”
6. 5 points – “The City’s Housing First Policy may be met as follows...”
7. 5 points – “Environmental and sustainability innovations”

Total: 100 points.

OUR CONCERNS :

The following points outline some of the opinions and concerns of the RPCRA and some members of the community:

1. The points assignment given in the RFO does not respect the efforts of the community to provide input into the 2009 visioning exercises or reflect the “4 pillars” approach touted in the mandate of the OCLDC. The RFO indicates that only 20% of the points are assigned to compatibility of the bid with “the City’s ... policies regarding Intensification, ... Secondary Plan policies for the Riverside Park neighbourhood, and the City’s conceptual design plan that was developed in consultation with the existing community”. Since there are three criteria making up this 20% portion of the points, one might reasonably assume that perhaps 1/3 or 6.7% of that applies to the community-endorsed concept plan mandated by Council when the land was transferred to OCLDC. In contrast, fully 50% of the points go toward the dollar amount of the bid. Even “Closing before year-end 2016...” was worth more points than the concept plan. One has to conclude that the non financial “pillars” described in the OCLDC mandate are somewhat smaller than the financial one.
2. While many who participated in the 2009 Community consultation sessions feel betrayed by the commercial component of the 2016 Concept Plan recently passed through FEDCo by OCLDC, the July 2016 RFO specifically encourages this through the following statement on page 3 : “vi. A mix of uses is permitted, which may include Institutional uses and/or small scale retail or commercial uses.”

3. City Council voted to transfer 3071 Riverside Drive to OCLDC in January 2014 based on certain terms of reference. Please see <http://riversidepark.ca/wp/wp-content/uploads/2017/01/2014-Terms-of-Reference-for-disposal-of-3071-Riverside-Drive-by-OCLDC.pdf> for more information. The RFO of July 5, 2016 does not match, and in some cases may violate the terms of reference for the disposal of the property.
4. The deliberations of the OCLDC Board, the preparation of the RFO, the points assigned to each item in the RFO, and the bid evaluation and points awarding process have not been open to outside scrutiny, and therefore protect any accidental or deliberate mismatch between the terms of reference for the sale and the actual criteria and processes that have been followed. It is particularly disturbing if the River Ward City Councillor was not pre-informed of the RFO contents and consulted on the point scores being proposed, and consulted during the bid evaluation process. In our opinion this negatively impacts the public perception of our democratic processes.
5. Four members of City Council and the Mayor sit on the OCLDC Board, and the same people sit on the FEDCo committee, where the most recent OCLDC recommendations on 3071 Riverside Drive were presented on Nov. 1, 2016, prior to being passed on to the full Ottawa City Council on Nov. 9. The secrecy surrounding the OCLDC process plus the large shared membership between the OCLDC Board and the FEDCo committee encourage perceptions of a “done deal” and even the possibility of conflicts of interest. The request for a delay in the proceedings at FEDCo, sponsored by the RPCRA and the River Ward Councillor did not warrant a motion. This reinforces concerns of a closed process.

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