

Civic Works Committee

Report

5th Meeting of the Civic Works Committee
March 29, 2022

PRESENT: Councillors E. Pelozo (Chair), M. van Holst, J. Helmer, P. Van Meerbergen, J. Fyfe-Millar, Mayor E. Holder

ALSO PRESENT: A. Job, A. Pascual, and J. Taylor

Remote Attendance: Councillors M. Hamou, S. Hillier, and S. Lewis; A.L. Barbon, S. Chambers, R. Craven, G. Dales, J. Dann, L. Livingstone, D. MacRae, S. Mollon, K. Murray, K. Oudekerk, A. Rammeloo, K. Scherr, S. Tatavarti, S. Thompson, B. Westlake-Power, and J. Yanchula

The meeting was called to order at 12:00 PM with Councillor E. Pelozo in the Chair; it being noted that the following Members were in remote attendance: Mayor E. Holder, Councillors J. Helmer, M. van Holst, P. Van Meerbergen.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: M. van Holst

Seconded by: P. Van Meerbergen

That Items 2.1, 2.2, 2.3, 2.4, 2.5, 2.6 BE APPROVED.

Yeas: (6): E. Pelozo, M. van Holst, J. Helmer, P. Van Meerbergen, J. Fyfe-Millar, and E. Holder

Motion Passed (6 to 0)

2.1 2nd Report of the Transportation Advisory Committee

Moved by: M. van Holst

Seconded by: P. Van Meerbergen

That the 2nd Report of the Transportation Advisory Committee, from its meeting held on February 22, 2022, BE RECEIVED.

Motion Passed

2.2 2021 Ministry of the Environment, Conservation and Parks Inspection of the City of London Drinking Water System

Moved by: M. van Holst

Seconded by: P. Van Meerbergen

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the staff report dated March 29, 2022, with respect to the Ministry of the Environment, Conservation and Parks Inspection of the City of London Drinking Water System BE RECEIVED for information. (2022-E13)

Motion Passed

2.3 Wastewater Treatment Operations Energy Savings Report

Moved by: M. van Holst
Seconded by: P. Van Meerbergen

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the staff report dated March 29, 2022, with respect to the achievements of the Wastewater Treatment Operations Division in reducing energy consumption BE RECEIVED for information. (2022-E03)

Motion Passed

2.4 Disaster Mitigation and Adaption Fund - Contribution Agreement

Moved by: M. van Holst
Seconded by: P. Van Meerbergen

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the proposed by-law as appended to the staff report dated March 29, 2022, BE INTRODUCED at the Municipal Council meeting to be held on April 12, 2022, to approve the Contribution Agreement for Disaster Mitigation and Adaptation Fund (DMAF) between Her Majesty the Queen in right of Canada as represented by the Minister of Infrastructure and Communities and The Corporation of the City of London ("Agreement") and authorize the Mayor and City Clerk to execute the Agreement and any future amending agreements. (2022-P03)

Motion Passed

2.5 Appointment of Consulting Engineer - Detailed Design - Southdale Road West and Colonel Talbot Road Roundabout

Moved by: M. van Holst
Seconded by: P. Van Meerbergen

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated March 29, 2022, related to the appointment of a consulting engineer for the Southdale Road West and Colonel Talbot Road Roundabout project:

- a) AECOM Canada Ltd. BE APPOINTED Consulting Engineers to complete the detailed design and tendering services of the project as per the AECOM Canada Ltd. work plan, in the total amount of \$488,375.00, excluding HST, in accordance with Section 15.2(g) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2022-T05)

Motion Passed

2.6 Appointment of Consulting Engineers for Contract Administration Services: 2022 Infrastructure Renewal Program

Moved by: M. van Holst

Seconded by: P. Van Meerbergen

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated March 29, 2022, related to the appointment of consulting engineers for the 2022 Infrastructure Renewal Program:

- a) the following consulting engineers BE APPOINTED to carry out consulting services for the identified Infrastructure Renewal Program funded projects, at the upset amounts identified below, in accordance with the estimate on file, and in accordance with Section 15.2(g) of the City of London's Procurement of Goods and Services Policy:
 - i) Dillon Consulting Limited (Dillon) BE APPOINTED consulting engineers to complete the resident inspection and contract administration of 2022 Infrastructure Renewal Project Regent Street and William Street, in the total amount of \$498,142.70, including contingency, excluding HST;
 - ii) GM Blueplan Engineering Limited (GM Blueplan) BE APPOINTED consulting engineers to complete the resident inspection and contract administration of Pottersburg Phase 1 Contract 6: Dundas Street, Spruce Street, and Burdick Place reconstruction, in the total amount of \$384,120.00, including contingency, excluding HST;
 - iii) Archibald, Gray & McKay Engineering Ltd. (AGM) BE APPOINTED consulting engineers to complete the resident inspection and contract administration of Contract 5: Glen Cairn Phase 1 reconstruction, in the total amount of \$360,800.00, including contingency, excluding HST;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approval given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2022-A05)

Motion Passed

3. Scheduled Items

3.1 Amendments to Consolidated Fees and Charges By-law - Dundas Street Vendor Pilot Program

Moved by: J. Fyfe-Millar

Seconded by: M. van Holst

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, on the advice of the Director, Economic Services and Supports, the proposed by-law as appended to the staff report dated March 29, 2022, BE INTRODUCED at the Municipal Council meeting to be held on April 12, 2022, to amend By-law No. A-57 being, "A by-law to provide for Various Fees and Charges" and to repeal By-law A-56, as amended, being "A by-law to provide for Various Fees and Charges" by adding fees related to the Dundas Place Street Vendor Pilot Program;

it being noted that no individuals spoke at the public participation meeting associated with this matter;

it being noted that the communication from B. Robinson, with respect to this matter, was received. (2022-C01)

Yeas: (6): E. Pelozza, M. van Holst, J. Helmer, P. Van Meerbergen, J. Fyfe-Millar, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: M. van Holst

Seconded by: E. Holder

Motion to open the public participation meeting.

Yeas: (6): E. Pelozza, M. van Holst, J. Helmer, P. Van Meerbergen, J. Fyfe-Millar, and E. Holder

Motion Passed (6 to 0)

Moved by: P. Van Meerbergen

Seconded by: E. Holder

Motion to close the public participation meeting.

Yeas: (6): E. Pelozza, M. van Holst, J. Helmer, P. Van Meerbergen, J. Fyfe-Millar, and E. Holder

Motion Passed (6 to 0)

4. Items for Direction

Moved by: M. van Holst

Seconded by: E. Holder

That Items 4.1, 4.2, and 4.3 BE APPROVED.

Yeas: (6): E. Pelozza, M. van Holst, J. Helmer, P. Van Meerbergen, J. Fyfe-Millar, and E. Holder

Motion Passed (6 to 0)

4.1 2022 Renew London Infrastructure Construction Program and 2021 Review

Moved by: M. van Holst

Seconded by: E. Holder

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the staff report dated March 29, 2022, with respect to the 2022 Renew London Infrastructure Construction Program BE RECEIVED for information. (2022-T04)

Motion Passed

4.2 Contract Price Increase: 2021 Transportation Infrastructure Renewal Report

Moved by: M. van Holst
Seconded by: E. Holder

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated March 29, 2022, related to the three projects: 2020 Arterial Road Rehabilitation Project Contract 2, 2021 Fanshawe Park Road Boulevard Cycling Lanes Rehabilitation, and the 2021 Dundas Thames Valley Parkway (TVP) Active Transportation Connection:

- a) the 2020 Arterial Road Rehabilitation Project Contract 2 (Tender T20-100) contract value with Coco Paving Inc. (Coco) BE INCREASED by \$470,000.00 to \$3,038,000.00, excluding HST, in accordance with Section 20.3(e) of the City of London's Procurement of Goods and Services Policy;
- b) the Fanshawe Park Road Boulevard Cycling lanes Rehabilitation Contract (Tender RFT21-83) contract value with Dufferin Construction Company, A division of CRH Canada Group Inc., BE INCREASED by \$250,000.00 to \$1,735,102.20, excluding HST, in accordance with Section 20.3(e) of the City of London's Procurement of Goods and Services Policy;
- c) the contract with IBI Group Professional Services (Canada) Inc. for construction inspection and contract administration for the Dundas Street Thames Valley Parkway Active Transportation Connection Project BE INCREASED by \$91,800.00 to \$414,990.00, excluding HST, in accordance with Section 20.3(e) of the City of London's Procurement of Goods and Services Policy;
- d) the financing for these projects BE APPROVED as set out in the Sources of Financing Reports as appended to the above-noted staff report;
- e) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project; and,
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2022-T10)

Motion Passed

4.3 Contract Price Increase: 2021 Water/Wastewater Infrastructure Renewal Report

Moved by: M. van Holst
Seconded by: E. Holder

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated March 29, 2022, related to the English Street and Lorne Avenue Reconstruction project:

- a) the Lorne Avenue Reconstruction (Tender T21-16) contract value with 2376378 Ontario Corp (CH Excavating (2013)) BE INCREASED by \$675,000.00 to \$4,448,382.95, excluding HST, in accordance with Section 20.3(e) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the above-noted staff report;

- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2022-E03/L04)

Motion Passed

4.4 Metamora Stormwater Outfall Replacement - Contract Award Increase (RFT21-91)

Moved by: E. Holder

Seconded by: J. Fyfe-Millar

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated March 29, 2022, related to the award of contract for the Metamora Stormwater Outfall Replacement and Slope Rehabilitation:

- a) the contract award increase for BlueCon Construction for additional construction costs of \$200,486.00, including 20% contingency, excluding HST, for the Metamora Stormwater Outfall Replacement and Slope Rehabilitation works, BE APPROVED, resulting in a total contract value of \$1,200,386.00;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work;
- d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the project; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2022-E03/L04)

Yeas: (6): E. Pelozza, M. van Holst, J. Helmer, P. Van Meerbergen, J. Fyfe-Millar, and E. Holder

Motion Passed (6 to 0)

4.5 Contract Award: Tender RFT 21-97 Adelaide Street North CPR Underpass Project - Irregular Result

Moved by: J. Helmer

Seconded by: J. Fyfe-Millar

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated March 29, 2022, related to the Adelaide Street North CPR Underpass Project:

- a) the bid submitted by McLean Taylor Construction Limited at its tendered price of \$60,191,223.44, excluding HST, BE ACCEPTED in accordance with Section 8.10(a) and 13.2(b) of the City of London's Procurement of Goods and Services Policy; it being noted that this is an irregular result because the cost exceeds the project budget; it being further noted that the bid submitted by McLean Taylor Construction Limited was the lowest of three bids received and meets the City's specifications and requirements;

- b) WSP Canada Inc. Consulting Engineers BE AUTHORIZED to complete the contract administration and construction supervision required for this project as well as additional engineering activities, all in accordance with the estimate on file, at an upset amount of \$5,280,625.90, including contingencies, excluding HST, and in accordance with Section 15.2(g) of the City of London's Procurement of Goods and Services Policy;
- c) the financing for this project BE APPROVED in accordance with the Sources of Financing Report as appended to the above-noted staff report;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- e) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work;
- f) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract for the material to be supplied and the work to be done relating to this project (Tender 21-97); and,
- g) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents including railway purchase orders, if required, to give effect to these recommendations. (2022-T05)

Yeas: (6): E. Pelozza, M. van Holst, J. Helmer, P. Van Meerbergen, J. Fyfe-Millar, and E. Holder

Motion Passed (6 to 0)

4.6 Contract Award: Tender RFT-2022-001 Southdale Road West Improvements Phase 1

Moved by: J. Fyfe-Millar
 Seconded by: M. van Holst

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated March 29, 2022, related to the Southdale Road West Improvements Phase 1 Project between Bostwick Road and Pine Valley Boulevard (Tender RFT-2022-001):

- a) the bid submitted by L82 Construction Ltd., at its tendered price of \$10,177,967.69, excluding HST, BE ACCEPTED; it being noted that the bid submitted by L82 Construction Ltd. was the lowest of three bids received and meets the City's specifications and requirements in all areas;
- b) AECOM Canada Ltd. BE AUTHORIZED to complete the contract administration and construction inspection for this project in accordance with the estimate, on file, at an upset amount of \$447,398.00, excluding HST, in accordance with Section 15.2(g) of the City of London's Procurement of Goods and Services Policy;
- c) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the above-noted staff report;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- e) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work;
- f) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract for the material to be supplied and the work to be done relating to this project (RFT-2022-001); and,

g) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2022-T05)

Yeas: (6): E. Pelozza, M. van Holst, J. Helmer, P. Van Meerbergen, J. Fyfe-Millar, and E. Holder

Motion Passed (6 to 0)

4.7 Report on Downtown Road Closures

Moved by: E. Holder

Seconded by: E. Pelozza

That the communication from Councillor M. van Holst, with respect to a report on Downtown road closures BE RECEIVED and NO ACTION BE TAKEN. (2022-C09)

Yeas: (5): E. Pelozza, J. Helmer, P. Van Meerbergen, J. Fyfe-Millar, and E. Holder

Nays: (1): M. van Holst

Motion Passed (5 to 1)

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

Moved by: J. Helmer

Seconded by: E. Holder

That the Civic Works Committee Deferred Matters List as at March 21, 2022, BE RECEIVED.

Yeas: (6): E. Pelozza, M. van Holst, J. Helmer, P. Van Meerbergen, J. Fyfe-Millar, and E. Holder

Motion Passed (6 to 0)

5.2 (ADDED) Kenmore Place Sidewalk Petition

Moved by: J. Helmer

Seconded by: P. Van Meerbergen

That the petition from T. Jamieson, with respect to the Kenmore Place sidewalk construction, BE RECEIVED;

it being noted that Civic Administration will engage in further consultation with the residents to determine the placement of the sidewalk on Kenmore Place on the east or west side of the street.

Yeas: (6): E. Pelozza, M. van Holst, J. Helmer, P. Van Meerbergen, J. Fyfe-Millar, and E. Holder

Motion Passed (6 to 0)

6. Adjournment

Moved by: M. van Holst

Seconded by: P. Van Meerbergen

That the meeting BE ADJOURNED.

Yeas: (6): E. Peloza, M. van Holst, J. Helmer, P. Van Meerbergen, J. Fyfe-Millar,
and E. Holder

Motion Passed (6 to 0)

The meeting adjourned at 1:13 PM.

Transportation Advisory Committee

Report

2nd Meeting of the Transportation Advisory Committee

February 22, 2022

Advisory Committee Virtual Meeting - during the COVID-19 Emergency

Please check the City website for current details of COVID-19 service impacts.

Attendance PRESENT: T. Khan (Acting Chair), G. Bikas, B. Gibson, T. Kerr, P. Moore, M. Rice and S. Wraight and J. Bunn (Committee Clerk)

ABSENT: A. Abiola, D. Foster and M.D. Ross

ALSO PRESENT: Councillor J. Fyfe-Millar; J. Adema, J. Bos, G. Dales, I. de Ceuster, T. Koza, T. Macbeth, D. MacRae, A. Miller, O. Nethersole, E. Oladejo, J. Stanford

The meeting was called to order at 12:15 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

2.1 Annual New Sidewalk Program

That it BE NOTED that the presentation, dated February 22, 2022, from J. Bos, Senior Technologist, Transportation Planning and Design, with respect to the Annual New Sidewalk Program, was received.

2.2 Parking Standards Review

That it BE NOTED that the presentation, dated February 2022, from I. de Ceuster, Planner I, Long Range Planning and Research, with respect to a Parking Standards Review, was received.

2.3 Draft Climate Emergency Action Plan

That it BE NOTED that the presentation, dated February 22, 2022, from J. Stanford, Director, Climate Change, Environment and Waste Management, with respect to the Draft Climate Emergency Action Plan, was received.

3. Consent

3.1 1st Report of the Transportation Advisory Committee

That it BE NOTED that the 1st Report of the Transportation Advisory Committee, from it meeting held on January 25, 2022, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

None.

6. Adjournment

The meeting adjourned at 1:33 PM.

Report to Civic Works Committee

To: Chair and Members
Civic Works Committee

From: Kelly Scherr, P.Eng., MBA, FEC
Deputy City Manager, Environment and Infrastructure

Subject: 2021 Ministry of the Environment, Conservation and Parks
Inspection of the City of London Drinking Water System

Date: March 29, 2022

Recommendation

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following report on the Ministry of the Environment, Conservation and Parks Inspection of the City of London Drinking Water System **BE RECEIVED** for information.

Executive Summary

Purpose

This purpose of this report is to inform Council regarding the outcome of the annual inspection of the City of London drinking water system performed by Ministry of the Environment, Conservation and Parks.

Context

The Ontario Ministry of the Environment, Conservation and Parks (MECP) performs rigorous annual inspections to ensure that municipalities are operating water systems in compliance with all applicable legal requirements.

The MECP recently completed the 2021 inspection of London's drinking water system, and outlined its findings in the *City of London Distribution System Inspection Report*.

No issues of regulatory non-compliance were identified during the inspection, and the City of London received a 2021 Final Inspection Rating of 100.00%.

Linkage to the Corporate Strategic Plan

This report supports the 2019 – 2023 Strategic Plan through the strategic focus area of Leading in Public Service, by demonstrating leadership and accountability in the management and provision of quality programs and services.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- Civic Works Committee – March 30, 2021 – 2020 Ministry of the Environment, Conservation and Parks Inspection of the City of London Water Distribution System

1.2 Overview

Municipal drinking water systems in Ontario are held to very high standards. The Ontario Ministry of the Environment, Conservation and Parks (MECP) ensures that these standards are being met through two separate mechanisms.

To ensure the safe management of drinking water systems, the MECP developed a

Drinking Water Quality Management Standard (DWQMS) based on existing ISO 9001 and Hazard Analysis Critical Control Point standards. Municipalities must maintain quality management systems in accordance with the DWQMS, and annual audits confirm conformance. The 2021 DWQMS audit results were reported to the Civic Works Committee on March 1, 2022.

To ensure that municipalities are operating their water systems in accordance with all applicable regulations and the conditions prescribed in MECP-issued Drinking Water Works Permits and Municipal Drinking Water Licences, the MECP performs rigorous annual inspections.

MECP inspections include staff interviews and facility inspections, as well as reviews of operating procedures, water analysis reports, operational records, and staff certification and training records. If an Inspector finds that system operators did not properly comply with any applicable requirements, these are recorded as incidents of non-compliance.

MECP Inspections are used to generate Drinking Water System Inspection Rating Records. Each incident of non-compliance results in a subtraction from a possible score of 100%. The annual rating records for all municipal drinking water systems in Ontario are made available to the public.

2.0 Discussion and Considerations

2.1 Inspection Findings

On January 24, 2022, the MECP issued the City of London Distribution System Inspection Report for the 2021 inspection. No incidents of non-compliance were identified and the City of London received a Final Inspection Rating of 100.00%.

The following summarizes London's Final Inspection Ratings for the last 5 years:

- 2017 – 84.06%
- 2018 – 100.00%
- 2019 – 100.00%
- 2020 – 100.00%
- 2021 – 100.00%

The complete 2021 City of London Distribution System Inspection Report is available to members of the public on the City of London website.

Conclusion

The Ministry of the Environment, Conservation and Parks recently completed the 2021 inspection of London's drinking water system, and outlined its findings in the City of London Distribution System Inspection Report. No issues of regulatory non-compliance were identified and the City of London received a Final Inspection Rating of 100.00%.

Prepared by: John Simon, P.Eng.
Division Manager, Water Operations

Submitted by: Ashley M. Rammeloo, MMSc., P.Eng.
Acting Director, Water, Wastewater, and Stormwater

Recommended by: Kelly Scherr, P. Eng., MBA, FEC
Deputy City Manager, Environment and Infrastructure

CC: Dan Huggins, Water Quality Manager

Aaron Rozentals - Division Manager, Water Engineering

Report to Civic Works Committee

To: Chair and Members
Civic Works Committee
From: Kelly Scherr, P.Eng., MBA, FEC
Deputy City Manager, Environment & Infrastructure
Subject: Wastewater Treatment Operations Energy Savings Report
Date: March 29, 2022

Recommendation

That, on the recommendation of the Deputy City Manager, Environment & Infrastructure, the following report describing the achievements of the Wastewater Treatment Operations Division in reducing energy consumption **BE RECEIVED** for information.

Executive Summary

Purpose

This report describes the projects undertaken by the Wastewater Treatment Operations Division to reduce electricity and natural gas consumption at the City's wastewater treatment plants and pumping stations.

Context

The Wastewater Treatment Operations Division is the largest consumer of electricity and the second largest consumer of natural gas among City services and facilities. Through dedicated energy-saving projects and operational strategies the division has been able to achieve significant reductions in both consumption and cost, benefitting the City and the environment.

Linkage to the Corporate Plans

This project supports the 2019-2023 Strategic Plan through the following:

- Building a Sustainable City,
- Build infrastructure to support future development and
- Protect the environment.

The Wastewater energy projects identified in this report also support City's Corporate Energy and Demand Conservation (CDM) Plan. Identifying opportunities to improve Energy Efficiency within corporate operations and infrastructure is one of the key strategies in City's CDM Plan. Additionally, a primary goal of the 2019-2023 CDM Plan is to reduce the corporation's overall energy use by five percent or 8,500 equivalent megawatt-hours (eMWh) from 2019 to 2023.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- Civic Works Committee – May 14, 2019 – Contract Award: Tender T19-36: Greenway Organic Rankine Cycle Engine Installation.
- Civic Works Committee – May 14, 2019 – Greenway Wastewater Treatment Plant Organic Rankine Cycle Equipment Installation Budget Allocation.
- Civic Works Committee – July 17, 2018 – Clean Water and Wastewater Fund Project Budget Adjustments.
- Civic Works Committee – June 7, 2017 – Clean Water and Wastewater Fund – Purchase of Major Organic Rankine Cycle System Components for Power Generations at the Greenway Wastewater Treatment Plant.
- Civic Works Committee – September 9, 2013 – Biosolids Disposal Assessment.
- Civic Works Committee – May 14, 2012 – Tender T12-46: Greenway Pollution Control Centre Dewatering Project, Project ES2095.

2.0 Discussion and Considerations

Wastewater is an unavoidable product of society and it has the potential to cause significant harm to human health and the environment if left untreated. Municipalities have an obligation to provide adequate treatment of their wastewater in order to limit those negative impacts. However, the conveyance and treatment of wastewater represents a significant cost to municipalities and consumes large amounts of energy. For example, wastewater treatment in the City of London costs more than \$100 million annually and accounts for approximately 30% of the total electricity consumed collectively by the City's facilities and infrastructure.

While the recent commissioning of the Organic Rankine Cycle power generation system at Greenway marks a significant accomplishment that will contribute in a significant way to the City's energy saving goals, it is in fact simply an exclamation mark on a decade of successful energy conservation projects. Energy reduction has long been a priority for the Wastewater Treatment Operations Division. With the visibility and support that Council's declaration of a climate emergency has provided, the reduction of greenhouse gas emissions has also come to the forefront.

The purpose of this report is to highlight the major improvement projects that have been undertaken by Wastewater Treatment Operations over the past 10 years and present the overall savings that have been achieved to date.

In addition to the significant energy savings from major projects, Wastewater Treatment Operations is continuously engaged in smaller energy efficiency projects such as lighting retrofits and heat recovery for heating and ventilation applications, all of which contribute to the overall energy and greenhouse gas savings goal.

2.1 Sludge Dewatering to Reduce Natural Gas Consumption for Incineration

The City of London operates five wastewater treatment plants. Together, these plants treated more than 71 billion litres of wastewater in 2021 with the treatment process generating over 17,000 dry tonnes of waste solids annually. These waste solids require safe disposal.

Solids disposal for all of the City's plants is conducted at Greenway Wastewater Treatment Plant. Solids trucked from the smaller satellite plants, plus those generated

at Greenway, are dewatered and then incinerated. Historically, dewatering was accomplished through the use of belt filter presses which were capable of increasing the solids content of the biosolids from about 4% solids to approximately 22%. Removal of water prior to incineration is important, since excess water inhibits combustion. With a feedstock at 22% solids, the incineration process consumed approximately \$600,000/year in natural gas in order to ensure complete combustion of the waste material.

In 2014 the City completed the installation of decanting centrifuges capable of producing much drier “cake”. The new centrifuges regularly produce solids contents in the 26%-27% solids range, which allows the sludge to burn autogenously, meaning without the use of supplementary natural gas to fuel the incinerator. Centrifuges also offer operational benefits through the elimination of managing recycled newsprint as a feedstock additive, reduced odour control costs and reduced maintenance effort. Some of these savings have been partially offset by higher electricity and chemical consumption, but the goal of reduced natural gas consumption was met. Approximately 1.18 million m³ less natural gas has been consumed annually. Even considering that electrical consumption increased an estimated 1,025 MWh with the operation of the centrifuges, the project still results in a net CO_{2e} reduction of over 3,580 tonnes per year.

The City worked with Union Gas throughout the design of this project, and received an incentive of \$90,000 in recognition of the gas savings realized, although this is a relatively minor amount considering the \$12.5 million in capital that was expended to build the new dewatering system. Annual operational savings total over \$240,000 per year.

2.2 Turbo Blowers for Increased Efficiency in Bioreactor Processes

An essential part of the wastewater treatment process is aeration. Following an initial solids removal stage, wastewater enters a “bioreactor”, where air is forced into the tanks to provide enough oxygen for biological processes to take place that remove nutrients from the wastewater. Aeration is critical, but is also energy intensive. In general, aeration is considered to be responsible for 40-50% of the total electrical consumption in a typical wastewater treatment plant.

Historically, equipment called multi-stage centrifugal blowers were used at the City's plants to provide air to the bioreactors. These blowers were often oversized at the time of design and were throttled in order to better match airflow rates to process demands. This combination makes for a very inefficient process. Beginning in 2012, Wastewater Treatment Operations pursued a new technology called turbo blowers. Turbo blowers are reported to be 30-40% more efficient than typical centrifugal blower installations and include enhanced turn-down capabilities allowing them to slow down or speed up to match demand.

Since 2012, through multiple capital projects, the Division has replaced the duty blowers at four out of five treatment plants. This has resulted in a total reduction of approximately 6,340 MWh per year, equivalent to 1,400 tonnes CO_{2e}, and resulting in an estimated savings of \$950,000 annually. The City was also able to access funding from the provincial and federal government through the Clean Water and Wastewater Fund (\$1.90M) and incentive money through the Independent Electricity System Operator (\$1.10M) as a result of the energy savings realized.

2.3 Organic Rankine Cycle – Generating Electricity from Waste Heat

As described previously, in order to safely dispose of the City's waste solids, the Wastewater Treatment Operations Division incinerates the dewatered solids at Greenway. A by-product of the incineration process is heat which was lost through the facility's exhaust stack. Some of this heat had been captured and used to heat areas of the plant, but the remaining wasted heat energy represented an opportunity for the City.

The earliest investigations into utilizing waste heat for power generation were undertaken in 2012, but the design and procurement of an Organic Rankine Cycle power generation system for Greenway began in earnest in 2018. Commissioning was completed in October 2021, when the system began producing power generated from the waste heat discharged from the Greenway incinerator. This accomplishment represents the culmination of nine years of study, procurement, design and construction. Over this time, almost \$18 million was invested by the City, leveraging Federal and Provincial funding through the Clean Water and Wastewater Fund (\$4.42M) and the Federal Gas Tax (\$4.5M), currently known as the Canada Community-Building Fund.

It is expected that the power generated by the Organic Rankine Cycle system will be capable of offsetting a quarter of the power consumption at Greenway, the City's largest wastewater treatment plant, saving a projected \$600,000 per year in electricity costs. The energy consumption reduction achieved through this project alone, expected to total 3,600 MWh per year, accounts for over 40% of the City's 2019-2023 Corporate Energy Conservation and Demand Management Plan's overall target. There will also be an incentive paid to the City by the Independent Electricity System Operator based on the performance of the system over its first year. This incentive is projected to reach over \$700,000.

In terms of greenhouse gas emissions, the reduced energy will cut the City's greenhouse gas emissions by an estimated 800 tonnes of CO₂ per year - the equivalent of taking 200 cars off the road. In addition, Operations staff are working to optimize operation of the incinerator to both increase power production capability while also targeting a reduction of greenhouse gas emissions in the incinerator flue gas discharge. The results of these efforts will become clear in the coming months and years.

3.0 Net Results and Financial Impact

While much of this information has been presented in the preceding sections, it is worthwhile to consolidate the results of the efforts of the Wastewater Treatment Operations team has been able to achieve overall. Examining how the City was able to leverage funding sources also provides useful information to help future initiatives across the City.

Before the sludge dewatering project was completed, the Wastewater Treatment Operations Division was consuming an estimated 2,000,000 m³ of natural gas and 43,600 MWh of electricity annually. With the improvements made since then, consumption in 2021 was 446,000 m³ of natural gas and 39,000 MWh of electricity. This represents reductions of 49% and 10% respectively in less than ten years.

The results are summarized in the table below, with decreases shown in parentheses.

	Natural Gas (m ³)	Electricity (MWh)	Project Cost	Funding and Incentives Received	GHG (tonnes CO ₂ e per year)	Operational Savings (per year)
Pre-2014 (average)	2,000,000	43,600	-	-	15,740	-
Sludge Dewatering	(1.18M)	1,025	\$12.5M	\$90k	(3,580)	\$240k
Turbo Blowers	-	(6,340)	\$4.5M	\$3.0M	(1,400)	\$950k
ORC	-	(3,750)	\$18M	\$8.9M	(800)	\$600k
Total	(1.18M)	(9,065)	\$35.0M	\$11.99M	(5,780)	\$1.79M
% Change	-59%	-21%	-	-	-37%	-

To put these achievements in perspective, the 9,065 MWh reduction in annual electrical consumption offsets the average electrical consumption of 1,147 London homes while the 5,780 tonnes of CO₂e emissions that were eliminated are the equivalent of taking 1,445 cars off the road.

An important observation can be made when examining the sludge dewatering project: Projects that focus on greenhouse gas reduction often come with an increase in electrical consumption. This is because at the current time the Ontario power grid produces relatively low greenhouse gas emissions. Decisions at the project level often have to choose between energy or greenhouse gas reduction as the goal. Based on the City's declaration of a climate change emergency, the priority will be placed on GHG reduction where such a choice arises with an understanding that the capital and operating cost premium are acceptable for this purpose.

The projects described in the report cost over \$35.0M in total. Even considering the \$1.79M in annual operational savings that are projected to be achieved, it becomes clear that business case alone is not always enough to justify environmentally oriented projects. By pursuing and obtaining almost \$11.99M in external funding, City staff were able to make these projects financially viable.

While the City has been able to take advantage of funding and grant programs the offset the premium cost of these projects, those may not always be available. Advocacy by City representatives to describe the critical role that funding from senior levels of government plays in enabling municipalities to pursue greenhouse gas and energy reduction strategies is crucial for ensuring that the type of progress described in this report can continue to be made.

Conclusion

The Wastewater Treatment Operations Division is a strong supporter of the City's goals for greenhouse gas and energy use reduction. As one of the largest contributors of both, the Division bears a burden of opportunity if corporate-wide goals are to be met. Through significant efforts on the part of City staff in multiple Divisions, great strides have been made in recent years that contribute in a substantial way to corporate goals for both energy reduction and greenhouse gas reduction.

The information presented in this report shows how much can be accomplished, but it also highlights the challenges associated with including environmental priorities in capital projects. Even though the pursuit of energy saving and greenhouse gas reduction projects typically comes at a premium cost, those priorities will still guide decision making as the Division continues to provide efficient and effective wastewater treatment for the City of London's residents and businesses.

Prepared by: Kirby Oudekerk, MPA, P.Eng.
Division Manager, Wastewater Treatment Operations

Submitted by: Ashley Rammeloo, MMSc., P. Eng.
Acting Director, Water, Wastewater and Storm Water

Recommended by: Kelly Scherr, P. Eng., MBA, FEC
Deputy City Manager, Environment & Infrastructure

cc: Jay Stanford

Report to Civic Works Committee

To: Chair and Members
Civic Works Committee

From: Kelly Scherr, P.Eng., MBA, FEC, Deputy City Manager,
Environment and Infrastructure

Subject: Disaster Mitigation and Adaptation Fund – Contribution
Agreement

Date: March 29, 2022

Recommendation

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the attached proposed by-law (Appendix “A”) **BE INTRODUCED** at the Municipal Council meeting on April 12, 2022, and that:

- (a) the Contribution Agreement for the Disaster Mitigation and Adaptation Fund between Her Majesty the Queen in Right of Canada as represented by the Minister of Infrastructure and Communities and The Corporation of the City of London (the “Agreement”) **BE APPROVED**;
- (b) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.
- (c) the Deputy City Manager, Finance Supports or the Deputy City manager, Environment and Infrastructure **BE AUTHORIZED** to approve further Amending Agreements to the Agreement;
- (d) the Mayor and the City Clerk **BE AUTHORIZED** to execute any amendments to the Agreement approved by the Deputy City Manager, Finance Supports or Deputy City Manager, Environment and Infrastructure; and,
- (e) the Deputy City Manager, Finance Supports (or delegate) **BE AUTHORIZED** to execute any financial reports required under this Agreement.

Executive Summary

Purpose

This report introduces a by-law to authorize the Mayor and the City Clerk to execute the Contribution Agreement and any future amending agreements between Her Majesty the Queen in Right of Canada as represented by the Minister of Infrastructure and Communities and The Corporation of the City of London with respect to the Disaster Mitigation and Adaptation Fund – Agreement for Wastewater Treatment Plant Flood Protection Project.

Context

London’s wastewater treatment plants, which protect the Thames River from the effects of the City’s wastewater and represent millions of dollars in assets, are located in areas that may be flooded during extreme weather events. On October 13, 2020, the Federal Government announced that the City of London was successful in obtaining up to \$19.8 Million in funding under the Disaster Mitigation and Adaptation Fund program to support the construction of flood protection measures at the Greenway and Adelaide Wastewater Treatment Plants. This represents a 40% cost share contribution from the Federal Government. Civic Administration has negotiated the terms of the Contribution Agreement with the Federal Government that will enable the City to recover eligible expenses under the program.

Linkage to the Corporate Strategic Plan

The following report supports the Strategic Plan through the strategic focus area of “Building a Sustainable City”, under the outcome of increasing actions to respond to climate change and severe weather.

In this case the Strategic Plan is supported by ensuring that London’s infrastructure is built, maintained, and operated to consider and adapt to the effects of climate change such as increasingly intense weather and flood events.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- Civic Works Committee – March 2, 2021 – Greenway and Adelaide Wastewater Treatment Plants Climate Change Resiliency Class Environmental Assessment Consultant Award

1.2 Context

Council declared a climate emergency in the City of London on April 24, 2019. The Climate Emergency Action Plan addresses the City’s responsibility to reduce greenhouse gas emissions and increase resiliency to climate change.

In December 2020 the City of London announced federal funding through the Disaster Mitigation and Adaptation Fund for upgrades to the Greenway and Adelaide Wastewater Treatment Plants. Potential improvement works at each plant site include a flood barrier, a pumping station, and other upgrades to protect these critical infrastructure assets and reduce environmental impacts of flooding events. The federal funding will support the public consultation, design, and construction of these works at both the Greenway and Adelaide Wastewater Treatment Plants.

2.0 Discussion and Considerations

2.1 Climate Change Resilience for Wastewater Treatment Plants

The City of London owns and operates five wastewater treatment plants in the City and these plants are typically situated immediately adjacent to the Thames River in low-lying areas. Many of the essential treatment plant components are located within the floodplain.

With climate change, the City of London and other communities are experiencing more frequent and intense wet weather events, which increases the potential for flooding. A physical barrier, such as a berm or wall, would protect the plants from river flooding. This strategy was recently implemented at the Vauxhall Wastewater Treatment Plant.

Flood protection measures at the City’s wastewater treatment plants will improve the resilience of these facilities and enhance staff safety during extreme wet weather events. Improving the resilience of the City’s wastewater treatment plants to extreme wet weather events also improves treatment capabilities, reduces the likelihood of overflows and bypasses during those events, and supports the City’s commitment to the Lake Erie Domestic Action Plan by reducing phosphorus discharged to the Thames River.

2.2 Disaster Mitigation and Adaptation Fund

The Government of Canada created a \$2 billion fund intended to support large infrastructure projects that, among other things, contribute to the resilience of critical infrastructure in the face of increased risks of damage due to climate change. Under this

Disaster Mitigation and Adaptation Fund, the Federal Government would fund 40% of all eligible project costs, while participating municipalities would contribute the remaining 60%. In its application for funding, the City proposed the construction of flood protection at Greenway and Adelaide Wastewater Treatment Plants as major projects that fit the goals of the program, and the City's proposal was accepted.

The overall project cost is estimated at \$49.5 million, with the maximum federal share of all project related expenses totalling \$19.8 million (40%). A Contribution Agreement that formalizes the framework under which the City can recover eligible project costs is a mandatory requirement to receive any funding under this program. The purpose of this report is to present for approval the final Contribution Agreement between Her Majesty the Queen in Right of Canada as represented by the Minister of Infrastructure and Communities and The Corporation of the City of London and to introduce a by-law to authorize the Mayor and the City Clerk to execute the agreement and any future amending agreements. The proposed bylaw is attached as Appendix A, which contains the Contribution Agreement as Schedule A.

The Fund has strict timelines that must be met by the City. Accordingly, a consulting assignment was awarded by Council on March 23, 2021, to allow the public consultation process related to each wastewater treatment plant to proceed. This public consultation process is currently underway, with study information available at the following locations:

- Greenway: <https://getinvolved.london.ca/greenway-climate-change>
- Adelaide: <https://getinvolved.london.ca/adelaide-climate-change>

By commencing these studies in advance of the final Contribution Agreement, the City is able to maintain the schedule proposed in its application for funding.

3.0 Financial Impact/Considerations

Notwithstanding the requirement for an executed Contribution Agreement, all related expenditures incurred subsequent to the Government of Canada's notification of London's success in being selected for the Disaster Mitigation and Adaptation Fund (dated October 13, 2020) are still eligible to be claimed once the Agreement is executed. As a result, all previous and future fees paid under the consulting assignment previously approved by Council and currently underway for public consultation (the completion of a Municipal Class Environmental Assessment) for each site will be eligible for 40% reimbursement by the Federal Government upon execution of the Contribution Agreement.

Flood protection systems at Greenway and Adelaide Wastewater Treatment Plants were already identified as priority projects for the Wastewater Treatment Operations Division because of the location of those plants within the Thames River floodplain. There were previously no specific capital accounts dedicated to flood protection, but the availability of federal funding to subsidize those significant planned undertakings by 40% allowed the City to advance the timing. Sources of financing for the City's obligations under this Disaster Mitigation and Adaptation Fund agreement have been identified.

It should be noted that Article 3.3 – Appropriations and Funding Levels allows the Government of Canada to reduce or terminate the terms of the Contribution Agreement in the case of changes to funding sources for the transfer payments. Similarly, Article 16 – Limitation of Liability and Indemnity, requires the City to indemnify and hold harmless Canada from and against any loss or proceeding, unless solely caused by Canada's negligence or wilful misconduct. Although these clauses expose the City to risk, the benefits of the Agreement are considered by staff to outweigh the risks. Risk Managements has confirmed that the City can meet the insurance requirements in the Agreement.

Conclusion

On October 13, 2020, the Government of Canada announced that The City of London was successful in obtaining up to \$19.8 Million in federal funding under the Disaster Mitigation and Adaptation Fund to support the construction of flood protection measures at the Greenway and Adelaide Wastewater Treatment Plants, amounting to a 40% contribution. Public consultation for these important projects is underway. Concurrently, civic administration has negotiated the terms of a Contribution Agreement that will enable the City to recover eligible project costs.

This report introduces a by-law to seek approval of the Contribution Agreement between Her Majesty the Queen in Right of Canada as represented by the Minister of Infrastructure and Communities and The Corporation of the City of London with respect to the Disaster Mitigation and Adaptation Fund and authorize the Mayor and the City Clerk to execute the agreement and any future amending agreements.

Prepared by: Kirby Oudekerk, MPA, P.Eng.
Division Manager, Wastewater Treatment Operations

Reviewed by: Ashley Rammeloo, MSc., P.Eng.
Acting Director, Water, Wastewater and Stormwater

Recommended by: Kelly Scherr, P.Eng, MBA, FEC
Deputy City Manager, Environment and Infrastructure

Appendix “A”

Bill No.

2022

By-law No.

A by-law to approve the Contribution Agreement for Disaster Mitigation and Adaptation Fund (DMAF) between Her Majesty the Queen in right of Canada as represented by the Minister of Infrastructure and Communities and The Corporation of the City of London (“Agreement”) and authorize the Mayor and City Clerk to execute the Agreement and any future amending agreements

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting, among other things: i) economic, social and environmental well-being of the municipality, including respecting climate change; and ii) financial management of the municipality;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The Contribution Agreement for Disaster Mitigation and Adaptation Fund (DMAF): Wastewater Treatment Plant Flood Protection between Her Majesty the Queen in right of Canada as represented by the Minister of Infrastructure and Communities and The Corporation of the City of London (“Agreement”) attached as Schedule “A” to this by-law is hereby authorized and approved.
2. The Mayor and the City Clerk are hereby authorized to execute the Agreement substantially in the form of that authorized and approved under section 1 of this by-law.
3. The Deputy City Manager, Finance Supports or the Deputy City Manager, Environment and Infrastructure are hereby authorized to approve amending agreements to the Agreement provided it does not increase the indebtedness or liabilities of The Corporation of the City of London under the Agreement.
4. The Mayor and City Clerk are hereby authorized to execute any amending agreements approved by the Deputy City Manager, Finance Supports or the Deputy City Manager, Environment and Infrastructure under section 3 of this by-law.
5. The Deputy City Manager, Finance Supports, or their delegate, is hereby authorized to execute any financial reports required as a condition under the Agreement.

6. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on April 12, 2022

Ed Holder
Mayor

Michael Schultess
City Clerk

First Reading – April 12, 2022
Second Reading – April 12, 2022
Third Reading – April 12, 2022

**CANADA – CORPORATION OF THE CITY OF LONDON
DISASTER MITIGATION AND ADAPTATION FUND**

AGREEMENT FOR WASTEWATER TREATMENT PLANT FLOOD PROTECTION PROJECT

This Agreement is made as of the date of last signature

BETWEEN: **HER MAJESTY THE QUEEN IN RIGHT OF CANADA**, as represented by the Minister of Infrastructure and Communities (“Canada”)

AND

CORPORATION OF THE CITY OF LONDON, incorporated pursuant to the *Municipal Act, 2001*, S.O. 2001, c. 25 (the “Recipient”),

individually referred to as a “Party” and collectively referred to as the “Parties”.

RECITALS

WHEREAS the Government of Canada established the \$2 billion Disaster Mitigation and Adaptation Fund in Budget 2017;

WHEREAS, the Minister of Infrastructure and Communities is responsible for the Disaster Mitigation and Adaptation Fund (the “Program”);

WHEREAS the Recipient has submitted to Canada a proposal for the funding of the Wastewater Treatment Plant Flood Protection Project (“the Project”) which qualifies for support under the Program;

AND WHEREAS the Recipient is responsible to carry out the Project and Canada wishes to provide financial support for the Project and its objectives;

NOW THEREFORE, in accordance with the mutual covenants and agreements herein, the Parties hereby agree as follows:

1. INTERPRETATION

1.1 DEFINITIONS

In addition to the terms and conditions defined in the recitals and elsewhere in this Agreement, a capitalized term has the meaning given to it in this subsection.

“**Agreement**” means this contribution agreement and all its schedules, as may be amended from time to time.

“**Agreement End Date**” means March 31, 2028.

“**Asset**” means any real or personal property or immovable or movable asset, acquired, purchased, constructed, rehabilitated or improved, in whole or in part, with funds contributed by Canada under the terms and conditions of this Agreement, including but not limited to any Non-Owned Asset.

“**Asset Disposal Period**” means the period commencing from the Effective Date and ending twenty (20) years after the Project’s Substantial Completion Date.

“**Communications Activity**” or “**Communications Activities**” means, but is not limited to, public or media events or ceremonies including key milestone events, news releases, reports, web and social media products or postings, blogs, news conferences, public notices, physical and digital signs, publications, success stories and vignettes, photos, videos, multi-media content, advertising campaigns, awareness campaigns, editorials, multi-media products and all related communication materials.

“**Contract**” means an agreement between the Recipient and a Third Party whereby the latter agrees to supply a product or service to the Project in return for financial consideration.

“**Declaration of Substantial Completion**” means a declaration in the form substantially prescribed in Schedule D (Declaration of Substantial Completion).

“**Effective Date**” means the date of last signature of this Agreement.

“**Eligible Expenditures**” means those costs of the Project incurred by the Recipient and eligible for reimbursement by Canada as set out in Schedule A (Eligible and Ineligible Expenditures).

“Fair Value” means the amount that would be agreed upon in an arm’s length transaction between knowledgeable, willing parties who are under no compulsion to act.

“Fiscal Year” means the period beginning April 1 of a year and ending March 31 of the following year.

“In-Kind Contributions” means non-monetary contributions of goods, services or other support provided by the Recipient, or to the Recipient by a third party for the Project, for which Fair Value is assigned, but for which no payment occurs.

“Joint Communications” means events, news releases and signage that relate to the Agreement and are collaboratively developed and approved by the Parties and are not operational in nature.

“Oversight Committee” means the committee established pursuant to Section 5 (Oversight Committee).

“Non-owned Asset” means an Asset to which the Recipient does not hold the title and ownership.

“Non-Owned Land Agreement” means any agreement for real property between the Recipient and any land owner which provides the Recipient with the necessary rights or interest to access, manage, occupy, hold, use, modify or any other right or interest relating to real property for the purpose of or related to the Project or this Agreement.

“Project” means the project as described in Schedule B (Project Details).

“Project Approval Date” means October 13, 2020, which is the date indicated by Canada in writing to the Recipient following Canada’s approval in principle of the Project.

“Project Component” means any of the components of the Project as described in Schedule B2 (Project Components and Cashflow).

“Program” means the Disaster Mitigation and Adaptation Fund Program.

“Substantial Completion Date” means the date on which the Project can be used for the purpose for which it was intended as described in Schedule B1 (Project Description) and as will be set out in Schedule D (Declaration of Substantial Completion).

“Third Party” means any person or legal entity, other than a Party, who participates in the implementation of the Project by means of a Contract.

“Total Financial Assistance” means total funding from all sources towards Total Expenditures of the Project, including funding from the Recipient and federal, provincial, territorial, and municipal governments as well as funding from other sources, private financial sources and In-Kind Contributions.

1.2 ENTIRE AGREEMENT

This Agreement, including the recitals, comprises the entire agreement between the Parties in relation to the subject of the Agreement. No prior document, negotiation, provision, undertaking or agreement has legal effect, unless incorporated by reference into this Agreement. No representation or warranty expressed, implied or otherwise, is made by Canada to the Recipient except as expressly set out in this Agreement.

1.3 DURATION OF AGREEMENT

This Agreement will be effective as of the Effective Date and will terminate on the Agreement End Date subject to early termination in accordance with this Agreement.

1.4 SCHEDULES

The following schedules are attached to, and form part of this Agreement:

Schedule A – Eligible and Ineligible Expenditures

Schedule B – Project Details

Schedule C – Communications Protocol

Schedule D – Declaration of Substantial Completion

2. PURPOSE OF AGREEMENT

The purpose of this Agreement is to establish the terms and conditions whereby Canada will provide funding to the Recipient for the Project.

3. OBLIGATION OF THE PARTIES

3.1 COMMITMENTS BY CANADA

- a) Canada agrees to pay a contribution to the Recipient of not more than 40 percent (40%) of the total Eligible Expenditures but only up to a maximum of nineteen million eight-hundred thousand dollars (\$19,800,000).
- b) Canada will pay the contribution in accordance with the terms and conditions of this Agreement and the Fiscal Year breakdown in Schedule B2 (Project Components and Cashflow).
- c) The Parties acknowledge that Canada's role in the Project is limited to making a financial contribution to the Recipient for the Project and that Canada will have no involvement in the implementation of the Project or its operation. Canada is neither a decision-maker nor an administrator to the Project.
- d) If Canada's total contribution towards the Project exceeds forty percent (40%) of the Project's total Eligible Expenditures or if the Total Financial Assistance received or due in respect of the total Project costs exceeds one hundred per cent (100%) thereof, Canada may recover the excess from the Recipient or reduce its contribution by an amount equal to the excess.

3.2 COMMITMENTS BY THE RECIPIENT

- a) The Recipient will ensure the Project is completed in a diligent and timely manner, as per the Project Details outlined in Schedule B, within the costs and deadlines specified in this Agreement and in accordance with the terms and conditions of this Agreement.
- b) The Recipient will be responsible for all costs of the Project including cost overruns, if any.
- c) The Recipient will be responsible for any and all costs associated with the Project should the Project be withdrawn or cancelled, and the Recipient will repay to Canada any payment received for disallowed costs and all ineligible costs, surpluses, unexpended contributions, and overpayments made under and according to the terms and conditions of this Agreement.
- d) The Recipient will ensure that the greenhouse gas emissions assessment that includes a cost-per-tonne calculation for the Project is completed to Canada's satisfaction and submitted to Canada *within six months of the Effective Date* and prior to Canada flowing funds, unless otherwise required by Canada.
- e) The Recipient will report on community employment benefits provided to at least three federal target groups (apprentices, Indigenous peoples, women, persons with disabilities, veterans, youth, recent immigrants, or small- and medium-sized enterprises and social enterprises) and submit to Canada with annual updates until Project completion as per paragraph 8.1 c) Reporting.
- f) The Recipient will promptly inform Canada of the Total Financial Assistance received or due for the Project.
- g) The Recipient will ensure the ongoing operation, maintenance, and repair of any Asset in relation to the Project, as per appropriate standards, during the Asset Disposal Period.
- h) At the request of Canada, the Recipient will declare to Canada any amounts owing to the federal Crown, under legislation or contribution agreements, which constitute an overdue debt. The Recipient recognizes that any such amount owing is a debt due to the federal Crown and may be set-off by Canada in accordance with Section 18.5 (Set-off by Canada).
- i) The Recipient will inform Canada immediately of any fact or event that will compromise wholly or in part the Project.
- j) The Recipient agrees that material changes to the Project will require Canada's consent, which may be subject to terms and conditions, and a corresponding amendment to the Agreement.
- k) During the Asset Disposal Period the Recipient will:
 - i. ensure that it has secured and will maintain title to and ownership of land or any necessary rights or interests with respect to land required to carry out the Project, including entering into and maintaining any Non-Owned land Agreement, and to operate, maintain, and repair the Assets.

- ii. ensure that any Non-Owned Land Agreement, and necessary rights or interests with respect to land that may be registered on title under the applicable provincial legislation are so registered and are in good standing; and,
- iii. inform Canada within thirty (30) business days of becoming aware of any material changes, breaches or termination in regard to any Non-Owned Land Agreement or any necessary rights or interests with respect to land related to any Assets, the Project or this Agreement.

3.3 APPROPRIATIONS AND FUNDING LEVELS

- a) Notwithstanding Canada's obligation to make any payment under this Agreement, this obligation does not arise if, at the time when a payment under this Agreement becomes due, the Parliament of Canada has not passed an appropriation that is sufficient and constitutes lawful authority for making the payment. Canada may reduce or terminate any payment under this Agreement in response to the reduction of appropriations or departmental funding levels in respect of transfer payments, the Program under which this Agreement was made or otherwise, as evidenced by any appropriation act or the federal Crown's main or supplementary estimates expenditures. Canada will not be liable for any direct, indirect, consequential, exemplary or punitive damages, regardless of the form of action, whether in contract, tort or otherwise, arising from any such reduction or termination of funding.

3.4 FISCAL YEAR BUDGETING

- a) The amount of the contribution payable by Canada for each Fiscal Year of the Project is set out in Schedule B2 (Project Components and Cashflow).
- b) If the actual amount payable by Canada in respect of any Fiscal Year of the Project is less than the estimated amount in Schedule B2 (Project Components and Cashflow), the Recipient may request that Canada re-allocate the difference between the two amounts to a subsequent Fiscal Year. Subject to Subsection 3.3 (Appropriations and Funding Levels), Canada agrees to make reasonable efforts to accommodate the Recipient's request. The Recipient acknowledges that requests for re-allocation of Project funding will require appropriation adjustments or federal Crown approvals.
- c) In the event that any requested re-allocation of Project funding is not approved, the amount of Canada's contribution payable pursuant to Subsection 3.1 (Commitments by Canada) may be reduced by the amount of the requested re-allocation. If the contribution payable by Canada pursuant to Subsection 3.1 (Commitments by Canada) is so reduced, the Parties agree to review the effects of such reduction on the overall implementation of the Project and to adjust the terms and conditions of this Agreement as appropriate.

3.5 INABILITY TO COMPLETE PROJECT

If, at any time during the term of this Agreement, one or all of the Parties determine that it will not be possible to complete the Project for any reason, the Party will immediately notify the other Party of that determination and Canada may suspend its funding obligation. The Recipient will, within thirty (30) business days of a request from Canada, provide a summary of the measures that it proposes to remedy the situation. If Canada is not satisfied that the measures proposed will be adequate to remedy the situation, then this will constitute an Event of Default under Section 15 (Default) and Canada may declare a default pursuant to Section 15 (Default).

3.6 CONDITIONS PRECEDENT

- a) *Condition*

The Recipient agrees that Canada has no obligation to make payments under this Agreement unless and until:

- i. *The Recipient completes a greenhouse gas emissions assessment that includes a cost-per-tonne calculation for the Project to Canada's satisfaction and provides it to Canada.*

- b) *Remedy*

In the event that the Recipient is unable to meet the condition set out in paragraph 3.6 (a) (Condition), Canada may terminate this Agreement. Canada will not be liable for any direct, indirect, consequential, exemplary or punitive damages, regardless of the form of

action, whether in contract, tort or otherwise, arising from the termination of this Agreement.

4. THE RECIPIENT REPRESENTATIONS AND WARRANTIES

The Recipient represents and warrants to Canada that:

- a) The Recipient has the capacity and authority to enter into and execute this Agreement **AS DULY AUTHORIZED BY BY-LAW XXXX, dated [DATE]**
- b) The Recipient has the capacity and authority to carry out the Project;
- c) The Recipient has the requisite power to own the Assets; or it will secure all necessary rights, interests, and permissions to carry out the Project during the Asset Disposal Period;
- d) The Recipient has obtained all necessary rights and permissions to carry out the Project and to operate, maintain and repair the Assets during the Asset Disposal Period;
- e) This Agreement constitutes a legally binding obligation of the Recipient, enforceable against it in accordance with its terms and conditions;
- f) All information submitted to Canada as set out in this Agreement is true, accurate, and was prepared in good faith to the best of its ability, skill, and judgment;
- g) There are no actions, suits, investigations or other proceedings pending or, to the knowledge of the Recipient, threatened and there is no order, judgment or decree of any court or governmental agency which could materially and adversely affect the Recipient's ability to carry out the activities contemplated by this Agreement. The Recipient will inform Canada immediately if any such action or proceedings are threatened or brought during the term of this Agreement.
- h) Any individual, corporation or organization that the Recipient has hired, for payment, who undertakes to speak to or correspond with any employee or other person representing Canada on the Recipient's behalf, concerning any matter relating to the contribution under this Agreement or any benefit hereunder and who is required to be registered pursuant to the federal *Lobbying Act*, is registered pursuant to that *Act*;
- i) The Recipient has not and will not make a payment or provide other compensation that is contingent upon or is calculated upon the contribution hereunder or the negotiation of the whole or any part of the terms and conditions of this Agreement to any individual, corporation or organization with which that individual is engaged in doing business with, who is registered pursuant to the federal *Lobbying Act*.

5. OVERSIGHT COMMITTEE

Within sixty (60) business days of the date of the last signature of this Agreement, the Parties will establish an Oversight Committee comprising a federal co-chair and a co-chair from the Recipient. The Oversight Committee will:

- a) Monitor compliance with the terms and conditions of this Agreement;
- b) Monitor the implementation of Schedule C (Communications Protocol);
- c) Monitor Project risks and mitigation measures
- d) Monitor the progress of the Project as per described in Section 8 (Reporting);
- e) Ensure that audit plans are carried out as per this Agreement, including but not limited to Section 10 (Audit);
- f) Act as a forum to resolve potential issues and address concerns;
- g) Review and, as necessary, recommend to the Parties amendments to the Agreement; and
- h) Attend to any other function required by this Agreement, or as mutually agreed to by the Parties.

6. CONTRACT PROCEDURES

6.1 AWARDING OF CONTRACTS

- a) The Recipient will ensure that Contracts are awarded in a way that is fair, transparent, competitive and consistent with value-for-money principles, and if applicable, in accordance with the Canadian Free Trade Agreement and international trade agreements.
- b) If Canada becomes aware that a Contract is awarded in a manner that is not in compliance with the foregoing, upon notification to the Recipient, Canada may consider the expenditures associated with the Contract to be ineligible.
- c) In addition to any other remedy available to Canada under this Agreement, if Canada considers the expenditures associated with a Contract to be ineligible under Section 6.1(b), the Recipient shall repay to Canada any funds that have been paid for Eligible Expenditures in relation to the Contract, at Canada's discretion.

6.2 CONTRACT PROVISIONS

The Recipient will ensure that all Contracts are consistent with, and incorporate, the relevant provisions of this Agreement. More specifically but without limiting the generality of the foregoing, the Recipient agrees to include terms and conditions in all Contracts to ensure that:

- a) The Third Party will keep proper and accurate financial accounts and records, including but not limited to its Contracts, invoices, statements, receipts, and vouchers, in respect of the Project for at least six (6) years after the Agreement End Date and that the Recipient has the contractual right to audit them;
- b) All applicable labour, environmental, and human rights legislation is respected; and
- c) Canada, the Auditor General of Canada, and their designated representatives, to the extent permitted by law, will at all times be permitted to inspect the terms and conditions of the Contract and any records and accounts respecting the Project and will have reasonable and timely access to the Project sites and to any documentation relevant for the purpose of audit.

7. CLAIMS AND PAYMENTS

7.1 PAYMENT CONDITIONS

- a) Canada will not pay interest for failing to make a payment under this Agreement.
- b) Canada will not make a payment until the conditions identified in subsection 3.6 (Conditions Precedent) have been met;
- c) Canada will not make a payment, other than the first Fiscal Year in which claims are submitted, unless Canada has received and approved reports as required under Section 8 (Reporting) and any audit requirements as required in Section 10 (Audit);
- d) Canada will not make a payment in respect of an Asset until the Recipient secures and confirms to Canada title to and ownership of land or any necessary rights or interests with respect to land required for the Project in respect of that Asset.
- e) Canada will not pay any claims until the requirements under Section 2019 (Aboriginal Consultations), are, in Canada's opinion, satisfied to the extent possible at the date the claim is submitted to Canada.

7.2 CLAIMS AND PAYMENTS

- a) The Recipient will submit claims to Canada covering the Eligible Expenditures, in a form acceptable to Canada. Each claim must include the following:
 - i. a written attestation by a senior official designated by the Recipient that the information submitted in support of the claim is accurate and that Eligible Expenditures have been incurred;
 - ii. a breakdown of Eligible Expenditures claimed by Project Component in accordance with Schedule B2 (Project Components and Cashflow);
 - iii. upon request by Canada, any documents in support of Eligible Expenditures claimed.
- b) Canada will make a payment upon review and acceptance of a claim, subject to the terms and conditions of this Agreement.
- c) The Recipient will provide a final claim to Canada no later than twelve (12) months after Substantial Completion Date, along with all information required under

Subsections 8.2 (Final Report), Section 10 (Audit), and Declaration of Substantial Completion (Schedule D).

7.3 DECLARATION OF SUBSTANTIAL COMPLETION

- a) Prior to executing the Declaration of Substantial Completion, the Recipient will request confirmation from Canada as to whether the Declaration of Substantial Completion lists all relevant documents;
- b) The Declaration of Substantial Completion must be signed by an authorized official as deemed acceptable by Canada, and it must list all relevant documents as agreed to by Canada.

7.4 PAYMENT DEADLINE

- a) Canada will not have the obligation to make a payment after March 31st of the year following the Fiscal Year in which the Eligible Expenditures were incurred; and
- b) Canada will make the final payment no later than March 31st, 2028.

7.5 RETENTION OF CONTRIBUTION

Canada will retain up to five percent (5%) of its contribution under this Agreement. Any amount retained by Canada will be released by Canada upon review and acceptance of the final report described under Section 8.2 (Final Report) and the Recipient fulfills all of its obligations under this Agreement.

7.6 FINAL ADJUSTMENTS

Upon Canada's receipt of the final claim, but before issuing the final payment, the Parties will jointly carry out a final reconciliation of all claims and payments in respect of the Project and make any adjustments required in the circumstances.

7.7 FINAL PAYMENT

Canada will make a final payment upon review and acceptance of the final claim, subject to the terms and conditions of this Agreement.

8. REPORTING

8.1 PROGRESS REPORT

- a) The Recipient will submit progress reports to Canada at a timing and frequency determined by Canada but no less than every six (6) months. The progress report will be attested by a delegated senior official. The first progress report under this Agreement must cover the period from the Project Approval Date.
- b) Each progress report must include, at a minimum, the following information:
 - i. Project Title
 - ii. cost sharing breakdown, including Canada's contribution funding to the Project by Fiscal Year and any other sources of funding;
 - iii. construction start and end dates (forecast/actual);
 - iv. Project progress for the period;
 - v. an update on Project issues/risks, if any, and mitigation measures;
 - vi. an update on Project alignment to meet results as described in Schedule B, subsection 1.2; and
 - vii. confirmation of the Project's installed signage, if applicable.
- c) Expected and actual results related to community employment benefits for the Project will be included in a progress report on an annual basis.

8.2 FINAL REPORT

The Recipient will submit a final report to Canada with the final claim for approval no later than twelve (12) months after the Substantial Completion Date. The final report will include:

- a) All information required under paragraph 8.1. (Progress Report), covering the period from the last progress report to the date of submitting the final claim; and
- b) A cumulative summary of the results and the financials for the Project, which will include the following information:

- i. the Project's completed results compared to the baseline established prior to the start of the Project as listed under Schedule B (Project Details);
- ii. total expenditures and Eligible Expenditures by source of funding as well as federal contribution by Fiscal Year for the Project;
- iii. an attestation, signed by a delegated senior official, that the Project has been completed and that federal funding was spent on Eligible Expenditures in accordance with this Agreement;
- iv. reporting on community employment benefits and demonstrating that all environmental conditions and aboriginal consultation and accommodation requirements have been met;
- v. confirmation of the Total Financial Assistance in accordance with paragraph 3.2 (f) (Commitments by the Recipient) and Schedule B3 (Total Financial Assistance).

9. INFORMATION MANAGEMENT

The Recipient will use the Infrastructure Recipient Information System (IRIS), or a process designated by Canada, to fulfill the obligations of the Recipient under this Agreement, including Section 8 (Reporting) and any other obligations of the Recipient as requested by Canada.

10. AUDIT

- a) The Recipient agrees to inform Canada of any audit that has been conducted on the use of contribution funding under this Agreement, provide Canada with all relevant audit reports, and ensure that prompt and timely corrective action is taken in response to any audit findings and recommendations. The Recipient will submit to Canada in writing as soon as possible, but no later than sixty (60) days following receiving it, a report on follow-up actions taken to address recommendations and results of the audit.
- b) Canada may, at its discretion, conduct a Recipient audit related to this Agreement during the term of this Agreement and up to two years after the Agreement End Date, in accordance with the Canadian Auditing Standards and Section 18.2 (Accounting Principles).
- c) The Recipient will ensure proper and accurate financial accounts and records are kept, including but not limited to its Contracts, invoices, statements, receipts, and vouchers in respect to the Project for at least six (6) years after the Agreement End Date.

11. EVALUATION

The Recipient agrees to provide Project-related information to Canada during and following the termination of the Agreement in order for Canada to conduct any evaluation of the performance of the Program. All evaluation results will be made available to the public, subject to all applicable laws and policy requirements.

12. ACCESS

The Recipient will provide Canada and its designated representatives with reasonable and timely access to the Project sites, facilities, and any documentation for the purposes of audit, inspection, monitoring, evaluation, and ensuring compliance with this Agreement.

13. COMMUNICATIONS

13.1 COMMUNICATIONS PROTOCOL

- a) The Parties will comply with Schedule C (Communications Protocol).
- b) The Recipient will acknowledge Canada's contribution in all signage and public communication produced as part of the Project or Agreement, in a manner acceptable to Canada, unless Canada communicates in writing to the Recipient that this acknowledgement is not required.

- c) The Recipient acknowledges that the following may be made publicly available by Canada:
 - i. its name, the amount awarded by Canada, and the general nature of the Project; and
 - ii. any evaluation or audit report and other reviews related to this Agreement.

13.2 OFFICIAL LANGUAGES

- a) The Recipient will ensure that information on the Project is developed and is available in both official languages when intended for the information of, or use by the public.
- b) The Recipient will communicate in such a manner as to address the needs of both official language communities.

14. DISPUTE RESOLUTION

The Parties will keep each other informed of any issue that could be contentious by exchanging information and will, in good faith and reasonably, attempt to resolve potential disputes.

- a) If a contentious issue arises, it will be referred to the Oversight Committee. The Oversight Committee will examine it and, in good faith, attempt to resolve it, within thirty (30) business days from the receipt of notice.
- b) Where the Oversight Committee cannot agree on a resolution, the issue will be referred to the Parties for resolution. The Parties will provide a decision within ninety (90) business days.
- c) Where the Parties cannot agree on a resolution, the Parties may explore any alternative dispute resolution mechanisms available to them to resolve the issue.
- d) Any payments related to the issue will be suspended, together with the obligations related to such issue, pending resolution.
- e) The Parties agree that nothing in this Section will affect, alter or modify the rights of Canada to terminate this Agreement.

15. DEFAULT

15.1 EVENTS OF DEFAULT

The following events constitute Events of Default under this Agreement:

- a) The Recipient has not complied with one or more of the terms and conditions of this Agreement;
- b) The Recipient has not completed the Project in accordance with the terms and conditions of this Agreement;
- c) The Recipient has submitted false or misleading information to Canada or made a false or misleading representation in respect of the Project or in this Agreement, except for an error in good faith, demonstration of which is incumbent on the Recipient, to Canada's satisfaction; or
- d) The Recipient has neglected or failed to pay Canada any amount due in accordance with this Agreement;

15.2 DECLARATION OF DEFAULT

Canada may declare default if:

- a) One or more of the Events of Default occurs.
- b) Canada gave notice to the Recipient of the event which in Canada's opinion constitutes an Event of Default; and
- c) The Recipient has failed, within thirty (30) business days of receipt of the notice, either to remedy the Event of Default or to notify and demonstrate, to the satisfaction of Canada, that it has taken such steps as are necessary to remedy the Event of Default.

15.3 REMEDIES ON DEFAULT

In the event that Canada declares a default under Subsection 15.2 (Declaration of Default), Canada may exercise one or more of the following remedies, without limiting any remedy available to it by law:

- a) Suspend any obligation by Canada to contribute or continue to contribute funding to the Project, including any obligation to pay an amount owing prior to the date of such suspension;
- b) Terminate any obligation of Canada to contribute or continue to contribute funding to the Project, including any obligation to pay any amount owing prior to the date of such termination;
- c) Require the Recipient to reimburse Canada all or part of the contribution paid by Canada to the Recipient;
- d) Terminate this Agreement.

16. LIMITATION OF LIABILITY AND INDEMNIFICATION

16.1 DEFINITION OF PERSON

In this section, "Person" includes, without limitation, a person, the Recipient, a Third Party, a corporation, or any other legal entity, and their officers, servants, employees or agents.

16.2 LIMITATION OF LIABILITY

In no event will Canada, its officers, servants, employees or agents be held liable for any damages in contract, tort (including negligence) or otherwise, for:

- a) Any injury to any Person, including, but not limited to, death, economic loss or infringement of rights;
- b) Any damage to, loss of, or destruction of property of any Person; or
- c) Any obligation of any Person, including, but not limited to, any obligation arising from a loan, capital lease or other long term obligation;

in relation to this Agreement or the Project.

16.3 INDEMNIFICATION

The Recipient will at all times indemnify and save harmless Canada, its officers, servants, employees or agents, from and against all actions, claims, demands, losses, costs, damages, suits or other proceedings, whether in contract, tort (including negligence) or otherwise, by whomsoever brought or prosecuted in any manner based upon or occasioned by:

- a) Any injury to any Person, including, but not limited to, death, economic loss or any infringement of rights;
- b) Any damage to or loss or destruction of property of any Person; or
- c) Any obligation of any Person, including, but not limited to, any obligation arising from a loan, capital lease or other long term obligation in relation to this Agreement or Project, except to the extent to which such actions, claims, demands, losses, costs, damages, suits or other proceedings are caused by the negligence or breach of this Agreement by an officer, servant, employee or agent of Canada in the performance of his or her duties.

17. DISPOSAL OF ASSETS

- a) Unless otherwise agreed to by the Parties, the Recipient will:
 - i) where the Recipient owns the Asset, retain title to and ownership of the Asset or part of the Asset for the Asset Disposal Period; or
 - ii) ensure that title to and ownership for any Non-Owned Asset is retained by the entity with title to and ownership of that Asset for the Asset Disposal Period.
- b) The Recipient will ensure that any Asset will be preserved, maintained, and used for the purposes of the Project, and that no Asset, in whole or in part, will be sold, leased, encumbered or otherwise disposed of, directly or indirectly, during the Asset Disposal Period unless the Recipient notifies Canada in advance and in writing, and Canada

consents to the such disposal.

- c) Upon alternate use or disposal of any Asset, which includes selling, leasing, encumbering, or otherwise disposing of, directly or indirectly, during the Asset Disposal Period, the Recipient will reimburse Canada, at Canada's discretion, all or part of the contribution paid under this Agreement by Canada to the Recipient.

18. GENERAL

18.1 SURVIVAL

The Parties' rights and obligations which, by their nature, extend beyond the termination of this Agreement, will survive any termination of this Agreement.

18.2 ACCOUNTING PRINCIPLES

All accounting terms will have the meanings assigned to them, all calculations will be made and all financial data to be submitted will be prepared in accordance with the Generally Accepted Accounting Principles (GAAP) or the Public Sector Accounting Standards (PSAS) in effect in Canada.

18.3 DEBTS DUE TO THE FEDERAL CROWN

Any amount owed to Canada under this Agreement by the Recipient will constitute a debt due to the federal Crown, which the Recipient will reimburse Canada forthwith on demand.

18.4 INTEREST ON DEBTS DUE TO THE FEDERAL CROWN

Debts due to the federal Crown by the Recipient will accrue interest in accordance with the federal *Interest and Administrative Charges Regulations*.

18.5 SET-OFF BY CANADA

Any debt due to the federal Crown by the Recipient may be set-off against any amounts payable by Canada to the Recipient under this Agreement.

18.6 MEMBERS OF THE HOUSE OF COMMONS AND SENATE

No member of the House of Commons or the Senate of Canada will be admitted to any share or part of this Agreement, or to any benefit arising from it, that is not otherwise available to the general public. The Recipient will promptly inform Canada should it become aware of the existence of any such situation.

18.7 CONFLICT OF INTEREST

No current or former public servant or public office holder to whom any post-employment, ethics and conflict of interest legislation, guidelines, codes or policies of Canada applies will derive direct benefit from this Agreement unless the provision or receipt of such benefits is in compliance with such legislation, guidelines, policies or codes. The Recipient will promptly inform Canada should it become aware of the existence of any such situation.

18.8 NO AGENCY, PARTNERSHIP, JOINT VENTURE, ETC.

- a) No provision of this Agreement and no action by the Parties will establish or be deemed to establish a partnership, joint venture, principal-agent relationship or employer-employee relationship in any way or for any purpose whatsoever between Canada and the Recipient.
- b) The Recipient will not represent itself, including in any agreement with a Third Party, as a partner, employee or agent of Canada.

18.9 NO AUTHORITY TO REPRESENT

Nothing in this Agreement is to be construed as authorizing any person, including a Third Party, to contract for or to incur any obligation on behalf of Canada or to act as an agent for Canada. The Recipient will take the necessary action to ensure that any Contract between the Recipient and any Third Party contains a provision to that effect.

18.10 ASSIGNMENT

The Recipient will not transfer or assign its rights or obligations under this Agreement without the prior written consent of Canada. Any attempt by the Recipient to assign any of

the rights, duties or obligations of this Agreement without Canada's express written consent is void.

18.11 COUNTERPART SIGNATURE

This Agreement may be executed and delivered in counterparts (including by mail or other means of electronic transmission, such as by electronic mail in "pdf" form), with the same effect as if all parties had signed and delivered the same document, and all counterparts shall together constitute one and the same original document.

18.12 SEVERABILITY

If for any reason a provision of this Agreement that is not a fundamental term of this Agreement between the Parties is found to be or becomes invalid or unenforceable, in whole or in part, and if both Parties agree, it will be deemed to be severable and will be deleted from this Agreement, but all the other terms and conditions of this Agreement will continue to be valid and enforceable.

18.13 AMENDMENTS

This Agreement, including its schedules, can only be amended in writing by the Parties.

18.14 WAIVER

A Party may waive any of its rights under this Agreement only in writing. Any tolerance or indulgence demonstrated by the Party will not constitute a waiver.

18.15 NOTICE

Any notice provided for under this Agreement may be delivered in person, sent by mail addressed to:

for Canada:

ASSISTANT DEPUTY MINISTER
COMMUNITIES AND RURAL ECONOMIC DEVELOPMENT BRANCH
INFRASTRUCTURE CANADA
1100 - 180 Kent Street
Ottawa, Ontario
K1P 0B6

or to such other address or email or addressed to such other person as Canada may, from time to time, designate in writing to the Recipient; and

for the Recipient:

DEPUTY CITY MANAGER, ENVIRONMENT AND INFRASTRUCTURE
CORPORATION OF THE CITY OF LONDON
300 DUFFERIN AVENUE
LONDON, ONTARIO
N6A 4L9

or such other address or email or addressed to such other person as the Recipient may, from time to time, designate in writing to Canada.

Such notice will be deemed to have been received, if sent by mail or email, when receipt is acknowledged by the other Party; by facsimile, when transmitted and receipt is confirmed; and in person, when delivered.

18.16 COMPLIANCE WITH LAWS

The Recipient will comply with all applicable laws and regulations and all requirements of regulatory bodies having jurisdiction over the subject matter of the Project.

18.17 GOVERNING LAW

This Agreement is governed by the laws applicable in the Province of the Recipient.

18.18 SUCCESSORS AND ASSIGNS

This Agreement is binding upon the Parties and their respective successors and assigns.

18.19 INTELLECTUAL PROPERTY

(a) All intellectual property that arises in the course of the Project will vest in the Recipient.

- (b) The Recipient will obtain the necessary authorizations, as needed, for the implementation of the Project, from Third Parties who may own the intellectual property rights or other rights in respect of the Project. Canada will assume no liability in respect of claims from any Third Party in relation to such rights and to the Agreement.

19. ENVIRONMENTAL ASSESSMENT

The Recipient represents and warrants that there are no requirements under applicable federal environmental and impact assessment legislation for the City of London Greenway and Adelaide Wastewater Plants Flood Protection Project.

20. ABORIGINAL CONSULTATIONS

Canada has determined that there is a legal duty to consult Aboriginal groups on the Project. The Recipient agrees that no site preparation, vegetation removal, or construction of the Project will occur, and Canada has no obligation to reimburse Eligible Expenditures, until Canada is satisfied that:

- a) Aboriginal groups have been consulted;
- b) A summary of consultation or engagement activities has been provided, including a list of Aboriginal group(s) consulted, concerns and issues raised, and the position(s) of the Aboriginal group(s);
- c) Accommodation measures, where appropriate, are being implemented by the Recipient and these costs may be considered Eligible Expenditures; and
- d) any other information has been provided that Canada may deem appropriate.

SIGNATURES

This Agreement has been executed on behalf of Her Majesty the Queen in right of Canada by the Minister of Infrastructure and Communities and on behalf of the Recipient by the Mayor of the Corporation of the City of London.

HER MAJESTY THE QUEEN IN RIGHT
OF CANADA

CORPORATION OF THE CITY OF
LONDON

The Honourable Dominic LeBlanc, P.C.,
Q.C., M.P.
Minister of Intergovernmental Affairs,
Infrastructure and Communities

Ed Holder
Mayor of the Corporation of the City of
London

DATE

DATE

CORPORATION OF THE CITY
OF LONDON

Michael Schultess
City Clerk, Corporation of the City
of London

DATE

SCHEDULE A – ELIGIBLE AND INELIGIBLE EXPENDITURES

A.1. ELIGIBLE EXPENDITURES

- a) All Eligible Expenditures identified below can begin to be incurred as of the Project Approval Date except for expenditures associated with greenhouse gas assessments, which are Eligible Expenditures, that may be incurred within twelve (12) months prior to the Project Approval Date.
- b) Eligible Expenditures will be all direct and necessary expenditures incurred by the Recipient towards the eligible Project that are associated with acquiring, planning, designing, constructing or rehabilitating a tangible capital asset, as defined by the Generally Accepted Accounting Principles (GAAP) or the Public Sector Accounting Standards (PSAS) in effect in Canada. This also specifically includes the following:
 - i. Expenditures directly associated with joint federal communication activities and with Project signage, installed in accordance with federal signage guidelines.
 - ii. The incremental costs of the Recipient's employees or leasing of equipment may be included as Eligible Expenditures under the following conditions:
 - 1. The Recipient is able to demonstrate that it is not economically feasible to tender a contract;
 - 2. The employee or equipment is engaged directly in respect of the work that would have been the subject of the contract; and
 - 3. The arrangement is approved in advance and in writing by Canada.
 - iii. Costs of Aboriginal consultations, and where appropriate, accommodation.
- c) All Eligible Expenditures outlined above can be reimbursed to the Recipient only following the Effective Date of the Agreement.

A.2 INELIGIBLE EXPENDITURES

- a) Expenditures incurred before Project Approval Date and all expenditures related to contracts signed prior to the Project Approval Date except for expenditures associated with greenhouse gas assessments as per paragraph A.1.a).
- b) Expenditures incurred for cancelled Projects.
- c) Expenditures of relocating entire communities.
- d) Costs for and associated with the acquisition of land.
- e) Leasing land, buildings and other facilities; leasing equipment other than equipment directly related to the construction of the Project; real estate fees and related costs, unless in accordance with the requirements described in Schedule A.1.a)ii;
- f) Any overhead expenditures, including salaries and other employment benefits of any employees of the recipient, the direct or indirect operating or administrative costs of recipients, and more specifically its costs related to planning, engineering, architecture, supervision, management and other activities normally carried out by its staff, unless in accordance with the requirements described in Schedule A.1.a)ii;
- g) Financing charges, legal fees, and loan interest payments including those related to easements (e.g. surveys).
- h) Any goods and services costs which are received through donations or in-kind.
- i) Provincial sales tax and Goods and Services tax/HST, for which the recipient is eligible for a rebate, and any other costs eligible for rebates.
- j) Expenditures associated with operating expenses and regularly scheduled maintenance work.
- k) Expenditures related to furnishings and non-fixed assets which are not essential for the operation of the Asset/Project.
- l) All capital expenditures and costs, including site preparation and construction costs, until Canada is satisfied that the Environmental Assessment and Aboriginal consultation obligations have been met and continue to be met; and
- m) Expenditures related to all emergency services infrastructure.

SCHEDULE B – PROJECT DETAILS

B1. Project Description:

The Project involves the construction of works to protect two Wastewater Treatment Plants (WWTP) in London Ontario, specifically Greenway WWTP (Asset A) and Adelaide WWTP (Asset B), from the impacts of flooding events in the Thames River. Both plants are situated in close proximity to the Thames River and are within the projected flood plain. Flooding events are expected to become more significant and more frequent with the effects of climate change.

The assets that will be constructed at each WWTP to provide flood protection are as follows:

- i. A physical barrier, constructed to keep high river levels from inundating the plant infrastructure, causing damage to infrastructure and equipment, and potentially rendering the plant inoperable for significant lengths of time; and
- ii. An effluent pumping station which allows full treatment processes to continue in the event that elevated river levels inhibit the free flow of wastewater through and out of the plant.

The Project will include the necessary public consultation, detailed design, construction, contract administration, specialized consultant and contractor services activities, equipment and appurtenance purchase and other such related activities as required to construct and enable operation of the aforementioned flood protection assets.

B1.1 Project Objective:

This project increases the resilience of critical wastewater infrastructure to the effects of climate change by protecting it from floods from the Thames River. This will ensure continued effective wastewater treatment operations even during extreme flooding events.

B1.2 Expected Results at Project completion:

A: Greenway WWTP

- i. Flood Control Barrier
- ii. Effluent Pumping Station

B: Adelaide WWTP

- i. Flood Control Barrier
- ii. Effluent Pumping Station

Expected Outputs and immediate Outcome(s)	Indicators	Baseline	Target	Actual Results (info to be included in final report)
Increased structural capacity to adapt to climate change impacts, disasters triggered by natural hazards, and extreme weather events	Number of newly built or improved infrastructure Assets	A. i: 0 ii: 0 B. i: 0 ii: 0	A. i: 1 ii: 1 B. i: 1 ii: 1	
	Expected lifecycle of newly built or improved infrastructure Assets (years)	A. i: N/A ii: N/A B. i: N/A ii: N/A	A. i: 100 years ii: 75 years B. i: 100 years ii: 75 years	
	Performance of newly built or improved	A. i: N/A	A.	

	infrastructure Assets (ex. m ³)	ii: N/A	i: 1 in 100 year flood ii: Meet or exceed peak flow capacity of each WWTP (~1.2 m ³ /s)	
		B. i: N/A	B. i: 1 in 100 year flood	
		ii: N/A	ii: Meet or exceed peak flow capacity of each WWTP (~6 m ³ /s)	
Expected intermediate Outcome(s)	Indicators	Baseline	Target	Actual Results (info to be included in final report)
Increased ability of communities to adapt and withstand climate change impacts, disasters triggered by natural hazards, and extreme weather events	Percentage of directly affected people by hazard	< 5%	< 5%	
	Percentage of local economic losses per hazard	> 5%	< 2%	
	Percentage of population without essential services during hazard	> 20%	< 2%	
	Number of missing people/lives lost	Unknown	Unknown	
Expected ultimate Outcome(s)	Indicators	Baseline	Target	Actual Results (info to be included in final report)
Increased economic, environmental and social resilience	Long-term savings on socio-economic damages during the Asset life cycle	\$0	\$191,666,667 (Total Damages during the average asset lifecycle of 75 years)	
Minimum Federal Requirements	<p>All projects under the DMAF must meet the following federal requirements:</p> <ul style="list-style-type: none"> a) Meeting or exceeding the applicable energy efficiency standards for buildings outlined in the <i>Pan-Canadian Framework (PCF) on Clean Growth and Climate Change</i>. b) Meeting or exceeding the requirement of the highest published accessibility standard in a jurisdiction, defined as the requirements in the Canadian Standards Association Technical Standard Accessible Design for the Built Environment (CAN/CSA B651-12 or newer), in addition to applicable provincial or territorial building codes, and relevant municipal by-laws. 			

B1.3 Boundaries:

Project Component	Midpoint km	Project Component Mid-Points	
		CSRS-UTM-20N Lat/Long	
		Latitude (N)	Longitude (W)
1	0	42°58'30"	81°16'54"
2	0	43°00'58"	81°14'52"



B2. Project Components and Cashflow

Project Components	Estimated Expenditures			Forecast						
	Estimated Total Expenditures	Estimated Eligible Expenditures	Estimated Contribution by Canada	Forecast of Estimated Contribution by Canada by Fiscal Year						
2021/22				2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	
Project Cost	\$49,500,000	\$49,500,000	\$19,800,000	\$0	\$4,040,000	\$4,000,000	\$10,000,000	\$1,760,000	\$0	\$0
Total	\$49,500,000	\$49,500,000	\$19,800,000	\$0	\$4,040,000	\$4,000,000	\$10,000,000	\$1,760,000	\$0	\$0

B3. Total Financial Assistance: \$49,500,000

Recipient: \$29,700,000

Canada: \$19,800,000

Other contributors: \$ 0

SCHEDULE C – COMMUNICATIONS PROTOCOL

C.1 PURPOSE

This Communications Protocol outlines the roles and responsibilities of each of the Parties to this Agreement with respect to Communications Activities related to the funded Project.

This Communications Protocol will guide all communications activity planning, development and implementation to ensure clear, consistent and coordinated communications to the Canadian public.

The provisions of this Communications Protocol apply to all Communications Activities related to this Agreement including any Projects funded under this Agreement.

Communications Activities may include, but are not limited to, public or media events, news releases, reports, web and social media products or postings, blogs, project signs, digital signs, publications, success stories and vignettes, photo compilations, videos, advertising campaigns, awareness campaigns, editorials, and multi-media products.

C.2 GUIDING PRINCIPLES

The Parties recognize the importance of managing the delivery of coherent Communications Activities based on the principle of transparent and open discussion and collaboration.

Communications Activities undertaken through this Protocol should ensure that Canadians are informed of infrastructure investments made to help improve their quality of life and that they receive consistent information about the funded Project and its benefits.

The Communication Activities undertaken jointly by Canada and the Recipient should recognize the funding of all contributors to the Project.

The Recipient's public acknowledgement of financial assistance received from Canada is a condition of funding under this Agreement.

The Recipient will address any deficiencies and/or corrective actions identified by Canada or by the Oversight Committee.

C.3 GOVERNANCE

The Parties will designate communications contacts and form a communications subcommittee that will be responsible for preparing the Project's communications plan, overseeing its implementation and reporting on its results to the Oversight Committee.

C.4 PROGRAM COMMUNICATIONS

Canada retains the right to meet its obligations to communicate information to Canadians about the Program and the use of funding through its own communications products and activities.

Canada and the Recipient may also include general Program messaging and an overview of this Project as an example in their own communications products and activities. The Party undertaking these activities will recognize the funding of the Parties.

Canada and the Recipient agree that they will not unreasonably restrict the other Party or other funding contributors from using, for their own purposes, public

communications products related to the Project that were prepared collectively or individually by the Parties, and if web-based, from linking to them.

Canada and the Recipient will ensure that:

- a) Canada and the Recipient will work together with respect to Joint Communications about the Project.
- b) Joint Communications related to Project funded under this Agreement should not occur without the prior knowledge and agreement of each of the Parties.
- c) All Joint Communications material will be approved by Canada and the Recipient, and will recognize the funding of each of the Parties.
- d) Each of the Parties may request Joint Communications to communicate to Canadians about the progress or completion of Projects. The requestor will provide at least fifteen (15) business days' notice to the other Parties. If the Communications Activity is an event, it will take place at a mutually agreed date and location.
- e) The requestor of the Joint Communications will provide an equal opportunity for the other Parties to participate and choose their own designated representative in the case of an event.
- f) As Canada has an obligation to communicate in English and French, Communications products related to events must be bilingual and include the Canada word mark and the other Party's logo. In such cases, Canada will provide the translation services and final approval of products.
- g) The conduct of all Joint Communications will follow the *Table of Precedence for Canada*.

Media events include, but are not limited to, news conferences, public announcements, official events or ceremonies, and news releases.

The Recipient agrees to collaborate with Canada on Communications Activities and products including, but not limited to, Project success stories, vignettes, and multi-media products.

C.5 INDIVIDUAL COMMUNICATIONS

The Recipient will ensure that:

- a) Where a website or webpage is created to promote or communicate progress on a funded Project or Projects, it must recognize federal funding through the use of a digital sign or through the use of the Canada wordmark and the following wording, "This project is funded in part by the Government of Canada." The Canada wordmark or digital sign must link to Infrastructure Canada's website, at www.infrastructure.gc.ca. The guidelines for how this recognition is to appear and language requirements are published on Infrastructure Canada's website (<http://www.infrastructure.gc.ca/pub/signage-panneaux/intro-eng.html>).
- b) The Recipient will be required to send a minimum of one photograph to each of the Parties of the construction in progress, or of the completed project, for use in social media and other digital individual Communications Activities. Sending the photos will constitute permission to use and transfer of copyright. Photographs are to be sent to INFC.photos@canada.ca along with the Project name and location.

C.6 OPERATIONAL COMMUNICATIONS

The Recipient is solely responsible for operational communications with respect to the Project, including, but not limited to, calls for tender, construction, and public safety notices.

Operational communications will include the following statement: "This project is

funded in part by the Government of Canada”. Operational communications as described above are not subject to the federal official languages policy.

Canada and the Recipient will share information promptly with the other Party should significant media inquiries be received or if major stakeholder issues relating to the Project arise.

C.7 SIGNAGE

Unless otherwise agreed upon by Canada, the Recipient will produce and install a sign to recognize contributors’ funding at each Project site in accordance with current federal signage guidelines. The sign’s design, content, and installation guidelines are provided by Canada (<http://www.infrastructure.gc.ca/pub/signage-panneaux/intro-eng.html>).

Where the Recipient decides to install a permanent plaque or other suitable marker with respect to the Project, it must recognize the federal contribution and be approved by Canada.

The Recipient will ensure that signs are installed at the Project site(s) at least one (1) month prior to the start of construction, be visible for the duration of the Project, and remain in place until one (1) month after construction is completed and the infrastructure is fully operational or opened for public use.

The Recipient will ensure that signs are installed in a prominent and visible location that takes into consideration pedestrian and traffic safety and visibility.

Sign installations shall be reported to Canada as per subsection 8.1 b) (Progress Report).

C.8 ADVERTISING CAMPAIGNS

Recognizing that advertising can be an effective means of communicating with the public, Canada and the Recipient may, at their own cost, organize an advertising or public information campaign related to the Program or the funded Project. However, such a campaign must respect the provisions of this Agreement. In the event of such a campaign, each Party agrees to inform the other Party of its intention, no less than twenty-one (21) business days prior to the campaign launch.

SCHEDULE D – DECLARATION OF SUBSTANTIAL COMPLETION

In the matter of the Agreement entered into between Her Majesty the Queen in right of Canada, as represented by the Minister of Infrastructure and Communities, and the Recipient, as represented by _____(Name), concerning the Wastewater Treatment Plant Flood Protection Project.

I, _____(Name), of the City of London, Ontario, declare as follows:

1. I hold the position of _____with the City of London and as such have knowledge of the matters set forth in this declaration and believe this declaration to be true.

2.
 - a) I have received the following documents for the Wastewater Treatment Plant Flood Protection Project:
 - i. [LIST NAME OF RELEVANT DOCUMENT(S), E.G. CERTIFICATE OF COMPLETION, CERTIFICATE OF PERFORMANCE, OCCUPANCY PERMIT, ETC.] signed by _____ (Name), a _____ (Profession, e.g. professional engineer) for the Project.
 - ii. [ADD SAME TEXT AS IN i FOR EACH DOCUMENT]

 - b) Based on the above documents and the representations made to me by the professionals identified in Section 2(a) above, I declare to the best of my knowledge and belief that the Project:
 - i. has been substantially completed, as described in Schedule B.1 (Project Description) of the Agreement, dated on the _____ day of _____ 20__;
 - ii. was carried out between the dates _____ (start date) and _____ (Substantial Completion Date).

3. I have received the following documents and based on these documents and representations made to me by the professionals identified below, I declare to the best of my knowledge and belief that the Project conforms with the [applicable environmental review or assessment e.g., *Impact Assessment Act, 2019*, or Northern Regime]:
 - i. [LIST NAME OF RELEVANT DOCUMENT(S)] signed by _____ (Name), an _____ .
 - ii. [ADD SAME TEXT AS IN i FOR EACH DOCUMENT]

4. All terms and conditions of the Agreement that are required to be met as of the date of this declaration have been met.

Declared at _____ (City), in _____
(Province/Territory)

this _____ day of _____, 20_____.

(Signature)

Report to Civic Works Committee

To: Chair and Members
Civic Works Committee

From: Kelly Scherr, P.Eng., MBA, FEC
Deputy City Manager, Environment & Infrastructure

Subject: Appointment of Consulting Engineer - Detailed Design
Southdale Road West and Colonel Talbot Road Roundabout

Date: March 29, 2022

Recommendation

That on the recommendation of the Deputy City Manager, Environment & Infrastructure, the following actions **BE TAKEN** with respect to the Appointment of a Consulting Engineer for the Southdale Road West and Colonel Talbot Road Roundabout project:

- (a) AECOM Canada Ltd. **BE APPOINTED** Consulting Engineers to complete the detailed design and tendering services of the project as per the AECOM Canada Ltd. work plan, in the total amount of \$488,375, excluding HST; in accordance with Section 15.2(g) of the Procurement of Goods and Services Policy;
- (b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached, hereto, as Appendix A;
- (c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project;
- (d) the approvals given, herein, **BE CONDITIONAL** upon the Corporation entering into a formal contract with the consultant for the work; and,
- (e) the Mayor and the City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

Linkage to the Corporate Strategic Plan

Municipal Council's 2019-2023 Strategic Plan identifies "Building a Sustainable City" and "Growing our Economy" as strategic areas of focus. The following report supports the Strategic Plan by implementing and enhancing safe and convenient mobility choices for pedestrians, cyclists, transit, and automobile users.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- June 19, 2012 - Civic Works Committee – London 2030 Transportation Master Plan
- October 2012 – Planning and Environmental Committee –The Southwest Area Secondary Plan Report
- September 7, 2016 - Civic Works Committee - London ON Bikes Cycling Master Plan
- January 10, 2017 – Civic Works Committee – Environmental Assessment Appointment of Consulting Engineer
- April 2, 2019 – Civic Works Committee – Southdale Road West and Bostwick Road Improvements Environmental Study Report

- May 21, 2019 – Strategic Priorities and Policy Committee – Approval of 2019 Development Charges By-Law and DC Background Study
- July 23, 2019 – Civic Works Committee – Southdale Road West Improvements Phase 1 Detail Design and Tendering Services – Appointment of Consulting Engineer
- October 20, 2020 – Strategic Priorities and Policy Committee – 2021 Development Charges Update Covering Report and Proposed By-law
- August 31, 2021 – Civic Works Committee – Outcome of Climate Lens Screening Applied to Major Transportation Projects
- November 2, 2021 – Civic Works Committee – Initiation of the Mobility Master Plan Development

1.2 Purpose

This report seeks the approval of the Municipal Council to appoint AECOM Canada Ltd. as the engineering consultant to undertake the detailed design and tendering services for the Southdale Road West and Colonel Talbot Road roundabout project.

1.3 Background

Southdale Road West and Colonel Talbot Road are both identified as Civic Boulevards in the London Plan and their intersection represents a vital link in the City of London's mobility network.

Recent and future developments in southwest London will increase pedestrian, cyclist, transit, and motorist traffic, turning movements, and safety concerns at this intersection. This project will enhance the functionality and safety of the intersection by bringing it to current design standards. The project will follow the Complete Streets approach and will improve traffic capacity, active transportation connectivity and accessibility for the adjacent communities, and safety for all users.

An Environmental Assessment (EA) for the Southdale Road West corridor from Colonel Talbot Road to Pine Valley Boulevard was completed and the Environmental Study Report (ESR) was approved by Council in April 2019. The ESR identified the transportation infrastructure needs for the Southdale Road West corridor and recommended that this work be completed in phases, with the current proposed phasing:

- Phase 1 – Southdale Road West, from Bostwick Road to Pine Valley Boulevard
- Phase 2 – Southdale Road West and Colonel Talbot Road intersection (the subject of this report)
- Phase 3 – Southdale Road West, from Colonel Talbot Road to Bostwick Road

The study also looked at road enhancements to Bostwick Road from Southdale Road West to Pack Road to support future development in that area.

The first phase of the Southdale Road West corridor improvements was recently reviewed using the Climate Emergency Screening Tool. The screening tool review endorsed a complete streets approach for former rural corridors in growing areas like Southdale Road West that are missing components of pedestrian, cycling and transit amenities and do not support municipal and emergency services. Reconstruction of strategic streets to a Civic Boulevard Complete Street standard is recommended as a cost-effective approach to enable sustainable mobility choices.

A map of the Southdale Road West corridor improvements is included below.

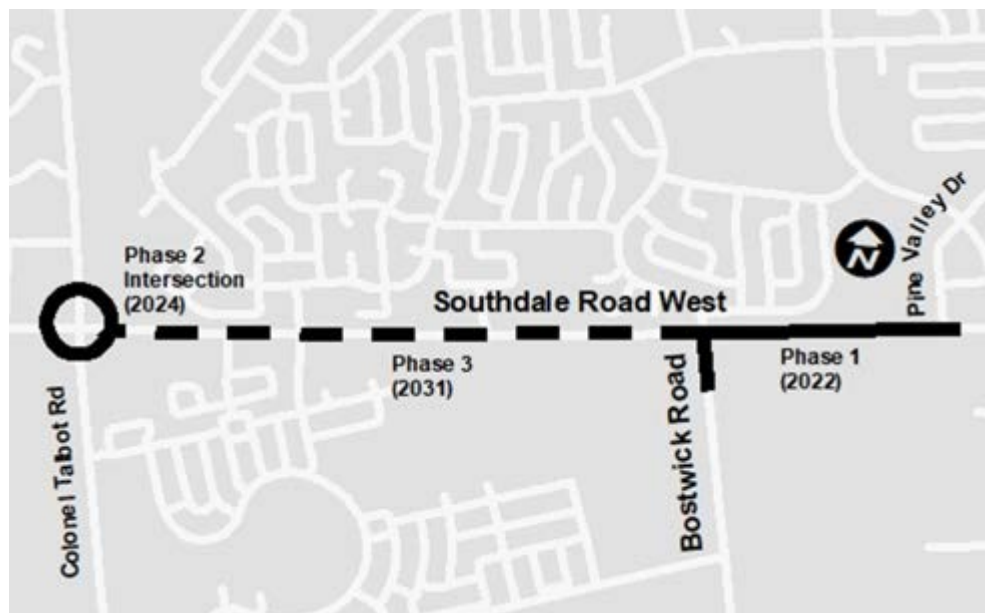


Figure 1: Phases of the Southdale Road West corridor improvements (2019 EA)

1.4 Network Improvements in Southwest London

Phase 1 of the Southdale Road West improvements, which spans from Bostwick Road to Pine Valley Boulevard and also includes Bostwick Road from Southdale Road West to approximately 130 m south of Southdale Road West, is scheduled for construction to commence in 2022.

Phase 2, the roundabout construction at the intersection of Southdale Road West and Colonel Talbot Road is anticipated to commence in 2024. This report pertains to this phase of the corridor improvements.

Other projects in the area include:

- Colonel Talbot Road from Southdale Road West to James Street is scheduled for a two-lane upgrade in 2023 and will include new active transportation facilities.
- Bostwick Road, from south of the current project to Wharncliffe Road, is considered for upgrades and realignment in 2025 and 2026.
- The Bradley Avenue extension, from Wonderland Road to Bostwick Road is currently scheduled for construction in 2028.

The City has initiated a new Mobility Master Plan which will consider adjustments to the timing of these future growth projects in coordination with the Growth Management Implementation Strategy and creation of the new Development Charges Background Study to inform the 2025 Development Charges Bylaw.

2.0 Discussion and Considerations

2.1 Project Description

Subject to Council approval, the project team will proceed with the detail design of the Southdale Road West and Colonel Talbot Road roundabout, identified as Phase 2 of the EA Improvements. The intersection improvements were identified as a priority in the Smart Moves 2030 Transportation Master Plan (TMP) and the Transportation Development Charge Background Study recommended to construct the subject intersection in the year 2024.

As recommended in the ESR, the Southdale Road West and Colonel Talbot Road intersection will be reconstructed, implementing a two-lane roundabout with centre island landscaping, bike paths, sidewalks, and illumination improvements. The layout of the intersection will be refined during detailed design to address any final grading transitions to adjacent properties. The EA used public consultation to inform the corridor improvement recommendations. The detail design phase will also include communications about the project.

The work will include tendering services for the roundabout, approvals from external agencies, coordination of utility relocations are required, support for property access, preparation of drawings, contract documents and cost estimates for review by City staff.

2.2 Construction Considerations

As per the Development Charges Background Study Update, construction of the Southdale Road West and Colonel Talbot Road intersection is recommended to begin in 2024. The construction of the roundabout at the Southdale Road West and Colonel Talbot Road intersection could be undertaken in one construction season if an early start is achieved (i.e., early April to early December), with the placement of the final lift of asphalt and completion of any remaining minor works in the subsequent construction season.

Coordination with property owners, London Hydro, and regulatory agencies is planned for early in the design process, providing ample time for consultation. Network traffic management and a communications plan will be developed during detailed design to inform road users, outline detours during construction, and instruct local traffic movement. Access to properties will be maintained during construction and disruptions will be coordinated with the Middlesex-London Paramedic Service on Colonel Talbot Road.

3.0 Financial Impact/Considerations

3.1 Procurement Process

AECOM Canada Ltd. was the City's consultant for this project's EA and successfully completed the study. AECOM was selected to undertake the EA after a competitive consultant procurement process in accordance with the Procurement of Goods and Services Policy Section 15.2(e) in which the assignment was publicly advertised and firms were invited to submit detailed proposals.

In 2019, AECOM was awarded the detailed design and tendering assignment for Phase 1, Southdale Road West, from Bostwick Road to Pine Valley Boulevard, in accordance with Section 15.2(g) of the Procurement of Goods and Services Policy. This was due to AECOM's knowledge and experience on similar design projects, combined with the positive performance during the EA.

For this current Phase 2 roundabout assignment, due to the consultant's positive performance on the EA and earlier phases, and their knowledge and understanding of the project, AECOM was invited to submit a proposal to carry out the detailed design and tendering of the roundabout. City staff have reviewed the fee submission in detail, considering the hourly rates provided by each of the Consultant's staff members. City staff have confirmed that hourly rates are consistent with those submitted through the competitive process. City staff also reviewed the time allocated to each project related task. The time allocation is consistent with prior projects of a similar nature that have been awarded through a competitive process.

Given the consultant project team's specific knowledge and understanding of the project, it is recommended, in accordance with Section 15.2(g) of the Procurement of Goods and Services Policy, that AECOM be awarded the consulting assignment for the detailed design and tendering services for roundabout project at Southdale Road West and Colonel Talbot Road intersection.

The continued use of AECOM Canada Ltd. on this project for detail design and tendering services is of financial advantage to the City because the firm has specific knowledge of the project and has undertaken work for which duplication would be required if another firm were to be selected. AECOM Canada Ltd. is intimately familiar with City staff and procedures through recent work on other multi-disciplinary assignments. Subject to successful completion of the design phase of this project, AECOM may be considered for the construction administration stage.

Conclusion

It is recommended that AECOM Canada Ltd. be awarded the consulting assignment for detailed design and tendering of Southdale Road West and Colonel Talbot Road roundabout project in the amount of \$488,375, excluding HST as it is in the best financial and technical interests of the City.

Improvements to Southdale Road West and Colonel Talbot Road intersection are necessary as planned developments in the vicinity will create growth along the Southdale Road West corridor. Construction of a two-lane roundabout Civic Boulevard Complete Street standard with pedestrian, cycling and transit amenities will ensure the intersection meets the long-term needs of the growing community in southwest London. The improvements will also include centre island landscaping, bike paths, sidewalks, and illumination improvements.

Prepared by: **Garfield Dales, P. Eng.**
Division Manager, Transportation Planning and Design

Submitted by: **Doug MacRae, P. Eng., MPA**
Director, Transportation & Mobility

Recommended by: **Kelly Scherr, P. Eng., MBA, FEC**
Deputy City Manager, Environment & Infrastructure

Attach: Appendix A – Source of Financing

c: Ian Blevins, AECOM Canada Ltd.
Michelle Morris, City of London
Violetta Sypien, City of London

Appendix "A"

#22027

March 29, 2022

(Appoint Consulting Engineer)

Chair and Members
Civic Works Committee

RE: Detailed Design - Southdale Road West and Colonel Talbot Road Roundabout
(Subledger RD220003)
Capital Project TS1336 - Intersection Southdale - Colonel Talbot (Roundabout)
AECOM Canada Ltd. - \$488,375 (excluding HST)

Finance Supports Report on the Sources of Financing:

Finance Supports confirms that the cost of this project cannot be accommodated within the financing available for it in the Capital Budget, but can be accommodated by advancing the forecasted 2024 Capital Budget for this project and that, subject to the approval of the recommendation of the Deputy City Manager, Environment and Infrastructure, the detailed source of financing for this project is:

	Approved Budget	Advanced Financing (Note 1)	Revised Budget	This Submission
Estimated Expenditures				
Engineering	300,000	196,971	496,971	496,971
Total Expenditures	\$300,000	\$196,971	\$496,971	\$496,971
Sources of Financing				
Debenture Quota (Note 2)	37,500	24,621	62,121	62,121
Drawdown from City Services - Roads Reserve Fund (Development Charges) (Note 3)	262,500	172,350	434,850	434,850
Total Financing	\$300,000	\$196,971	\$496,971	\$496,971

Financial Note:

Contract Price	\$488,375
Add: HST @13%	\$63,489
Total Contract Price Including Taxes	\$551,864
Less: HST Rebate	-\$54,893
Net Contract Price	<u>\$496,971</u>

Note 1: The Engineering budget for this contract in Capital Project TS1336 - Intersection Southdale - Colonel Talbot (Roundabout) is included in the 2024 forecasted budget. A portion of this budget (\$196,971) is required in 2022 and can be accommodated by advancing a portion of the 2024 budget. Upon Council approval of this recommendation, the 2024 forecasted budget for project TS1336 will be revised.

Note 2: Note to City Clerk: Administration hereby certifies that the estimated amounts payable in respect of this project does not exceed the annual financial debt and obligation limit for the Municipality from the Ministry of Municipal Affairs in accordance with the provisions of Ontario Regulation 403/02 made under the Municipal Act, and accordingly the City Clerk is hereby requested to prepare and introduce the necessary by-laws.

An authorizing by-law should be drafted to secure debenture financing for project TS1336 - Intersection Southdale - Colonel Talbot (Roundabout) for the net amount to be debentured of \$62,121.

Note 3: Development Charges have been utilized in accordance with the underlying legislation and the approved 2019 Development Charges Background Study and the 2021 Development Charges Background Study Update.

Kyle Murray
Director, Financial Planning and Business Support

Report to Civic Works Committee

To: Chair and Members
Civic Works Committee

From: Kelly Scherr, P.Eng., MBA, FEC
Deputy City Manager, Environment and Infrastructure

Subject: Appointment of Consulting Engineers for Contract
Administration Services: 2022 Infrastructure Renewal
Program

Date: March 29, 2022

Recommendation

That on the recommendation of Deputy City Manager, Environment and Infrastructure, the following actions **BE TAKEN** with respect to the appointment of consulting engineers for the 2022 Infrastructure Renewal Program:

- (a) The following consulting engineers **BE APPOINTED** to carry out consulting services for the identified Infrastructure Renewal Program funded projects, at the upset amounts identified below, in accordance with the estimate on file, and in accordance with Section 15.2(g) of the City of London's Procurement of Goods and Services Policy:
 - (i) Dillon Consulting Limited (Dillon) **BE APPOINTED** consulting engineers to complete the resident inspection and contract administration of 2022 Infrastructure Renewal Project Regent Street and William Street, in the total amount of \$498,142.70 (including contingency), excluding HST;
 - (ii) GM Blueplan Engineering Limited (GM Blueplan) **BE APPOINTED** consulting engineers to complete the resident inspection and contract administration of Pottersburg Phase 1 Contract 6: Dundas Street, Spruce Street, and Burdick Place reconstruction, in the total amount of \$384,120.00 (including contingency), excluding HST;
 - (iii) Archibald, Gray & McKay Engineering Ltd (AGM) **BE APPOINTED** consulting engineers to complete the resident inspection and contract administration of Contract 5: Glen Cairn Phase 1 reconstruction, in the total amount of \$360,800.00 (including contingency), excluding HST;
- (b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached, hereto, as Appendix 'A';
- (c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project;
- (d) the approval given, herein, **BE CONDITIONAL** upon the Corporation entering into a formal contract; and
- (e) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

Executive Summary

Purpose

The purpose of this report is to award engineering consultant appointments for the resident inspection and contract administration for three projects which are part of the 2022 Infrastructure Renewal Program. These consultant appointments will lead to infrastructure renewal construction projects in 2022.

Context

The Infrastructure Renewal Program is an annual program intended to maintain the lifecycle and operation of municipal infrastructure at an acceptable level of service. The

engineering consultants work with city staff to complete the Infrastructure Renewal Program projects to meet the challenging infrastructure lifecycle replacement needs. The engineering consulting work recommended within this report will support the reconstruction of an estimated \$13,300,000 of capital infrastructure.

Linkage to the Corporate Strategic Plan

This recommendation supports the following 2019-2023 Strategic Plan areas of focus:

- Building a Sustainable City:
 - London's infrastructure is built, maintained, and operated to meet the long-term needs of our community by replacing aged and failing infrastructure with new materials and sizing new infrastructure to accommodate future development.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- CWC – June 19, 2018 – Appointment of Consulting Engineers Infrastructure Renewal Program
- CWC – September 22, 2020 – Appointment of Consulting Engineers Infrastructure Renewal Program

2.0 Discussion and Considerations

2.1 Work Description

The Infrastructure Renewal Program projects include watermain and sewer replacement, as well as restoration of areas disturbed by the construction activity. The scope of each project varies in length and depends on the infrastructure components requiring rehabilitation or replacement. Full road reconstruction will be part of the overall projects.

The following engineering assignments were previously awarded for detailed design and tender preparation. The limits for the three projects are identified as follows:

- Dillon completed the detailed design assignment for Regent Street and William Street which includes **Regent Street** from Maitland Street to William Street and **William Street** from Huron Street to Regent Street
- GM Blueplan completed the detailed design assignment for Pottersburg Phase 1 which includes **Dundas Street** from First Street to Burdick Place; **Spruce Street** from Dundas Street to Pottersburg creek; and **Burdick Place** from Dundas Street to Pottersburg creek
- AGM completed the detailed design assignment for Glen Cairn Phase 1 which includes **Chesterfield Avenue** from Thompson Road to Shirl Street; and **Westlake Street** from Chesterfield Avenue to Gladstone Avenue.

All three projects are scheduled for construction in 2022 with the construction tenders anticipated to be awarded through the Administrative Approval of Tender Acceptance/Contract Award (AATACA), which was recently increased to an upset limit of \$6 Million. Location maps are provided for each project in Appendix 'B'.

3.0 Financial Impact/Considerations

3.1 Consulting Engineer Services

Due to the knowledge and positive performance on the detailed design assignments,

each consultant was invited to submit a proposal to carry out the resident inspection and contract administration for their project. A summary of the fees is included in Table 1. All values include 10% contingency and exclude HST.

Table 1: Summary of Project Assignments

Assignment	Consultant	Resident Inspection and Contract Administration Fee	Total Fees Including Previously Awarded Fees
Regent Street and William Street	Dillon	\$498,142.70	\$926,570.70
Pottersburg Phase 1	GM Blueplan	\$384,120.00	\$800,734.00
Glen Cairn Phase 1	AGM	\$360,800.00	\$624,800.00

Staff have reviewed the fee submissions, including the time allocated to each project task, along with hourly rates provided by each of the consultant's staff members. The submissions were found to be consistent with other Infrastructure Renewal Program assignments of similar scope. The continued use of the identified consultant on each project for resident inspection and contract administration is of financial advantage to the City because the firm has specific knowledge of the project and has undertaken work for which duplication would be required if another firm were to be selected.

In addition to the financial advantage, there are also accountability and risk reduction benefits. The City requires a Professional Engineer to seal all construction drawings. These 'record drawings' are created based on field verification and ongoing involvement by the Professional Engineer. This requirement promotes consultant accountability for the design of these projects, and correspondingly, reduces the City's overall risk exposure. Consequently, the continued use of the consultant who created and sealed the design drawings is required in order to maintain this accountability process and to manage risk.

In accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy, civic administration is recommending that the engineering services associated with the resident inspection and contract administration services be awarded to ensure that the City receives the product specified and associated value.

Funds have been budgeted in the Water, Sewer, and Transportation capital budgets to support the engineering work for the projects as identified in Appendix 'A', 'Sources of Financing'.

Conclusion

Replacing infrastructure at the end of its lifecycle is essential to building a sustainable city. The recommended engineering consultant assignments for the 2022 Infrastructure Renewal Program will allow the construction projects to be completed in the best financial and technical interests of the City. All the firms recommended through this engineering consultant appointment have shown their competency and expertise with infrastructure replacement projects of this type. It is recommended that Dillon, GM Blueplan, and AGM continue as the consulting engineers on their respective projects for the purpose of resident inspection and contract administration services in accordance with Section 15.2(g) of the City of London's Procurement of Goods and Services Policy.

Prepared by: Kyle Chambers, P.Eng.
Acting Division Manager, Sewer Engineering

Submitted by: Ashley Rammeloo, MMSc, P.Eng.
Acting Director, Water, Wastewater, and Stormwater

Recommended by: Kelly Scherr, P.Eng., MBA, FEC
Deputy City Manager, Environment and Infrastructure

cc: D. Gough, S. Romano, A. Rozentals

Appendix 'A' – Sources of Financing

Appendix 'B' – Location Maps

Appendix "A"

#22034

March 29, 2022

(Appoint Consulting Engineers)

Chair and Members

Civic Works Committee

RE: Contract Administration Services: 2022 Infrastructure Renewal Program

(Subledger WS22C004) Regent Street and William Street

(Subledger WS19C00A) Pottersburg Phase 1 - Contract 6

(Subledger WS21C00H) Glen Cairn Phase 1 - Contract 5

Capital Project ES241421 - Infrastructure Renewal Program - Sanitary Sewers

Capital Project ES254021 - Infrastructure Renewal Program - Stormwater Sewers and Treatment

Capital Project EW376522 - Infrastructure Renewal Program - Watermains

Capital Project TS144621 - Road Networks Improvements (Main)

Capital Project TS512321 - Street Light Maintenance

Dillon Consulting Limited - \$498,142.70 (excluding HST) Regent St. and William St..

GM Blueplan Engineering Limited - \$384,120.00 (excluding HST) Pottersburg Phase 1 - Contract 6

Archibald, Gray and McKay Engineering Ltd. - \$360,800.00 (excluding HST) Glen Cairn Phase 1 - Contract 5

Finance Supports Report on the Sources of Financing:

Finance Supports confirms that the cost of this project can be accommodated within the financing available for it in the Capital Budget and that, subject to the approval of the Deputy City Manager, Environment and Infrastructure, the detailed source of financing is:

Estimated Expenditures	Approved Budget	Committed To This Date	Submission	Balance for Future Work
ES241421 - Infrastructure Renewal Program - Sanitary Sewers				
Engineering	2,000,000	1,438,459	355,964	205,577
Construction	16,994,026	13,412,158	0	3,581,868
Construction (Utilities Share)	116,098	116,098	0	0
City Related Expenses	25,000	7,612	0	17,388
ES241421 Total	19,135,124	14,974,327	355,964	3,804,833
ES254021 - Infrastructure Renewal Program - Stormwater Sewers and Treatment				
Engineering	1,474,352	1,118,388	355,964	0
Land Acquisition	250,000	210,537	0	39,463
Construction	9,070,480	8,971,688	0	98,792
City Related Expenses	59,099	5,594	0	53,505
ES254021 Total	10,853,931	10,306,207	355,964	191,760
EW376522 - Infrastructure Renewal Program - Watermains				
Engineering	2,500,000	0	474,618	2,025,382
Construction	14,919,975	3,891,248	0	11,028,727
EW376522 Total	17,419,975	3,891,248	474,618	13,054,109
TS144621 - Road Networks Improvements (Main)				
Engineering	2,238,860	2,173,459	65,401	0
Construction	12,411,637	6,080,504	0	6,331,133
City Related Expenses	483	483	0	0
TS144621 Total	14,650,980	8,254,446	65,401	6,331,133

Appendix "A"

#22034

March 29, 2022

(Appoint Consulting Engineers)

Chair and Members

Civic Works Committee

RE: Contract Administration Services: 2022 Infrastructure Renewal Program

(Subledger WS22C004) Regent Street and William Street

(Subledger WS19C00A) Pottersburg Phase 1 - Contract 6

(Subledger WS21C00H) Glen Cairn Phase 1 - Contract 5

Estimated Expenditures continued	Approved Budget	Committed To This Date	This Submission	Balance for Future Work
TS512321 - Street Light Maintenance				
Engineering	300,000	140,922	12,994	146,084
Construction	2,677,367	330,653	0	2,346,714
TS512321 Total	2,977,367	471,575	12,994	2,492,798
Total Expenditures	\$65,037,377	\$37,897,803	\$1,264,941	\$25,874,633

Sources of Financing

ES241421 - Infrastructure Renewal Program - Sanitary Sewers

Capital Sewer Rates	11,282,518	11,282,518	0	0
Drawdown from Sewage Works Renewal Reserve Fund	5,486,508	1,325,711	355,964	3,804,833
Canada Community-Building Fund	2,250,000	2,250,000	0	0
Other Contributions	116,098	116,098	0	0
ES241421 Total	19,135,124	14,974,327	355,964	3,804,833

ES254021 - Infrastructure Renewal Program - Stormwater Sewers and Treatment

Capital Sewer Rates	820,480	820,480	0	0
Drawdown from Sewage Works Renewal Reserve Fund	7,731,956	7,184,232	355,964	191,760
Canada Community-Building Fund	2,250,000	2,250,000	0	0
Other Contributions	51,495	51,495	0	0
ES254021 Total	10,853,931	10,306,207	355,964	191,760

EW376522 - Infrastructure Renewal Program - Watermains

Capital Water Rates	12,175,544	3,147,822	474,618	8,553,104
Drawdown from Water Works Renewal Reserve Fund	4,501,005	0	0	4,501,005
Canada Community-Building Fund	743,426	743,426	0	0
EW376522 Total	17,419,975	3,891,248	474,618	13,054,109

TS144621 - Road Networks Improvements (Main)

Capital Levy	3,194,196	0	0	3,194,196
Debenture By-law No. W.-5673-150	939,460	0	0	939,460
Drawdown from Capital Infrastructure Gap Reserve Fund	1,510,874	0	0	1,510,874
Canada Community-Building Fund	9,006,450	8,254,446	65,401	686,603
TS144621 Total	14,650,980	8,254,446	65,401	6,331,133

Appendix "A"

#22034

March 29, 2022

(Appoint Consulting Engineers)

Chair and Members

Civic Works Committee

RE: Contract Administration Services: 2022 Infrastructure Renewal Program

(Subledger WS22C004) Regent Street and William Street

(Subledger WS19C00A) Pottersburg Phase 1 - Contract 6

(Subledger WS21C00H) Glen Cairn Phase 1 - Contract 5

Sources of Financing continued	Approved Budget	Committed To Date	This Submission	Balance for Future Work
TS512321 - Street Light Maintenance				
Capital Levy	2,719,971	471,575	12,994	2,235,402
Drawdown from Capital Infrastructure Gap Reserve Fund	257,396	0	0	257,396
TS512321 Total	2,977,367	471,575	12,994	2,492,798
Total Financing	\$65,037,377	\$37,897,803	\$1,264,941	\$25,874,633

Financial Note: (Excluding HST)	ES241421	ES254021	EW376522	TS144621
Listed by Engineer and Contract				
Dillon Consulting Limited	\$149,443	\$149,443	\$199,257	\$0
GM Blueplan Engineering Limited	92,124	92,124	122,833	64,270
Archibald, Gray and McKay Engineering Ltd.	108,240	108,240	144,320	0
Total Per Capital Project (Excluding HST)	\$349,807	\$349,807	\$466,410	\$64,270

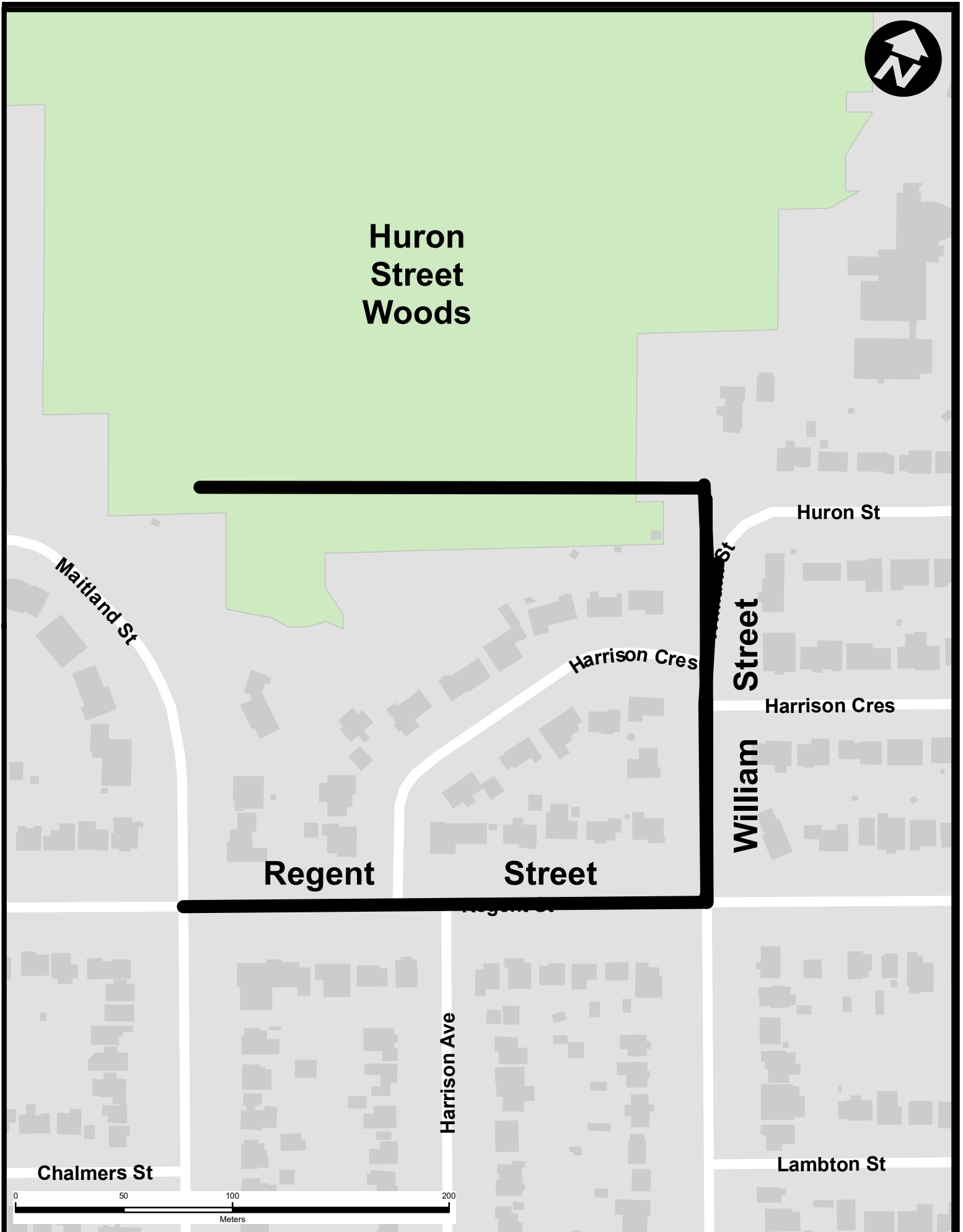
Financial Note: (Excluding and Including HST)	TS512321	Total Excluding HST	Total Including HST
Listed by Engineer and Contract			
Dillon Consulting Limited	\$0	\$498,143	\$506,910
GM Blueplan Engineering Limited	12,769	\$384,120	\$390,881
Archibald, Gray and McKay Engineering Ltd.	0	\$360,800	\$367,150
Total Per Capital Project (Including HST)	\$12,769	\$1,243,063	\$1,264,941

Financial Note: Charges per Capital Project	ES241421	ES254021	EW376522	TS144621
Contract Price	\$349,807	\$349,807	\$466,410	\$64,270
Add: HST @13%	45,475	45,475	60,633	8,355
Total Contract Price Including Taxes	395,282	395,282	527,043	72,625
Less: HST Rebate	-39,318	-39,318	-52,425	-7,224
Net Contract Price	\$355,964	\$355,964	\$474,618	\$65,401

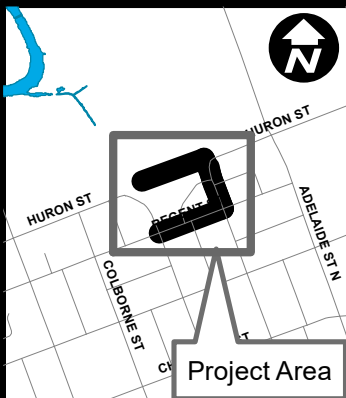
Financial Note: Charges per Capital Project continued	TS512321	Total
Contract Price	\$12,769	\$1,243,063
Add: HST @13%	1,660	\$161,598
Total Contract Price Including Taxes	14,429	1,404,661
Less: HST Rebate	-1,435	-\$139,720
Net Contract Price	\$12,994	\$1,264,941

Jason Davies
Manager of Financial Planning & Policy

APPENDIX 'B'



LOCATION MAP



2022 Infrastructure Renewal Program
William Street, Regent Street,
Huron Street Woods

Regent Street from Maitland Street to William Street
William Street from Regent Street to Huron Street
Huron Street Woods from Huron Street/William Street to Park

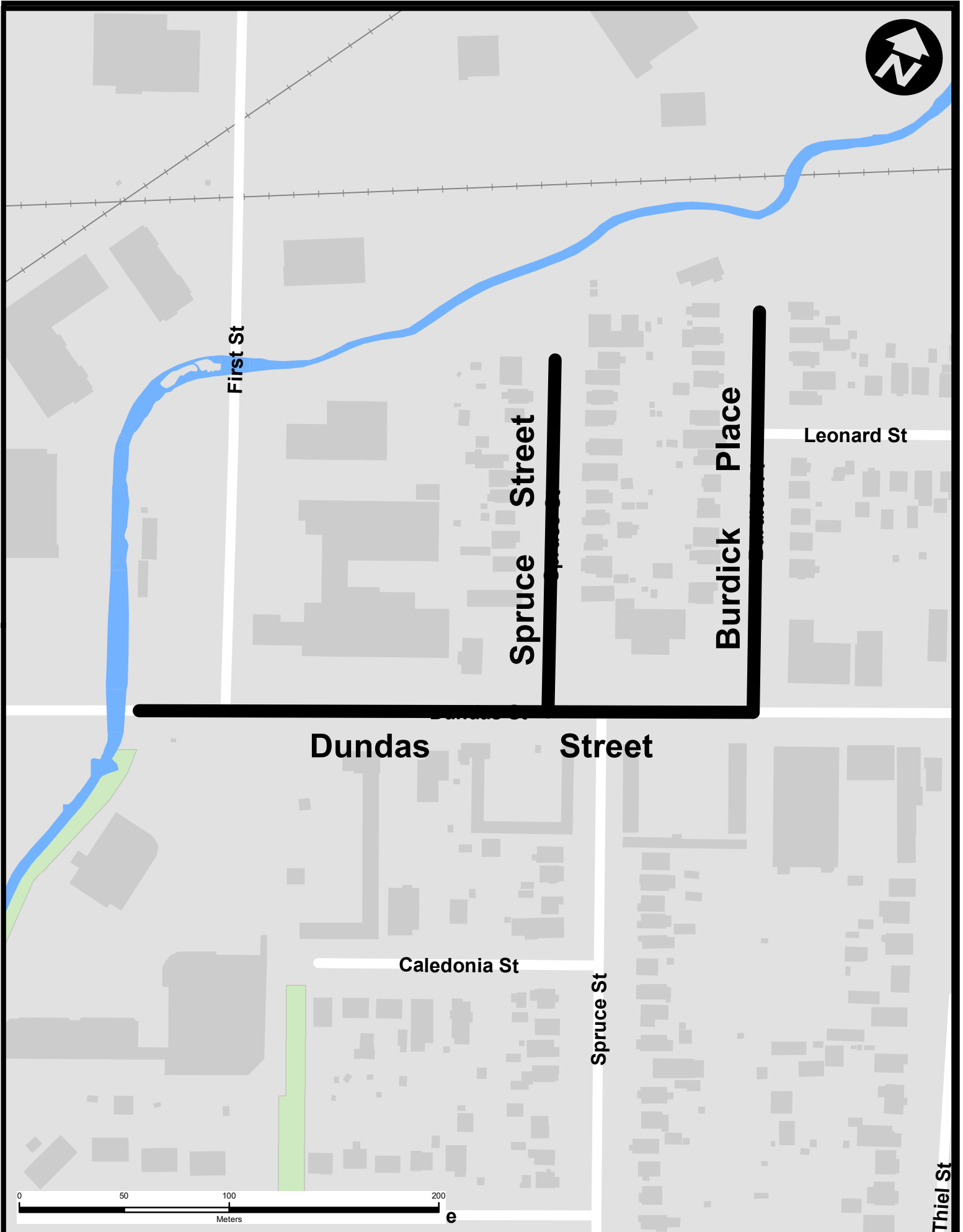
 Project Area

Map Produced by
the Sewer
Engineering
Division
February 24, 2022 CM

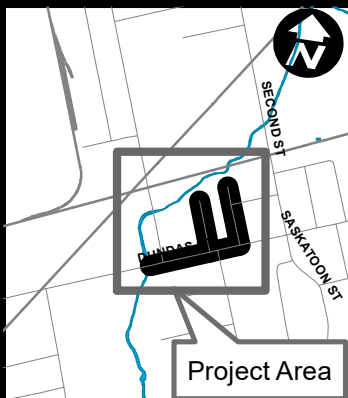


London
CANADA

300 Dufferin Avenue,
PO Box 5035
London, Ontario
N6A 4L9
www.London.ca



LOCATION MAP



2022 Infrastructure Renewal Program
Dundas Street, Spruce Street, Burdick Place

Dundas Street from Pottersburg Creek to Burdick Place
 Spruce Street from Dundas Street to north limit
 Burdick Place from Dundas Street to north limit

 Project Area

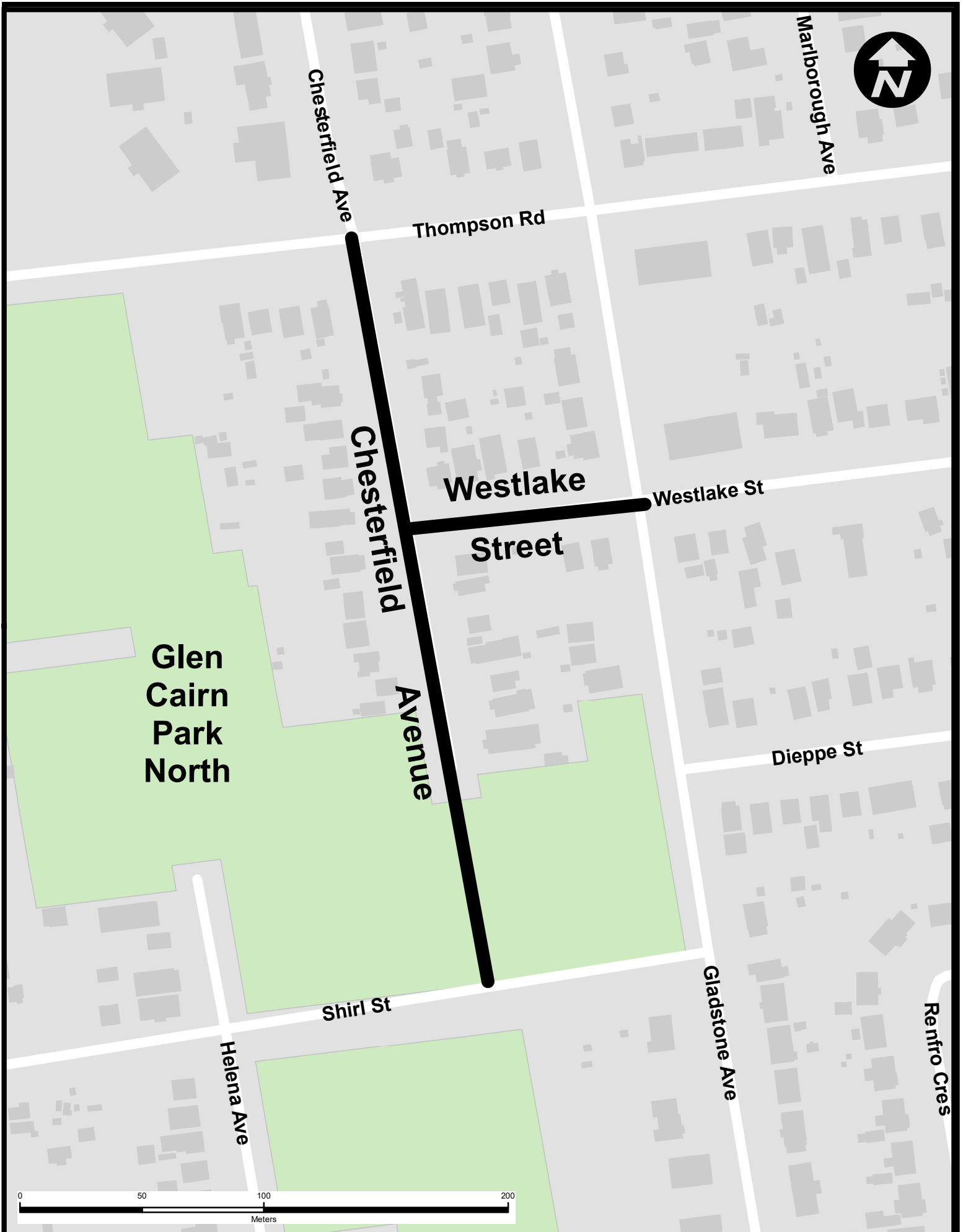
Map Produced by
 the Sewer
 Engineering
 Division
 February 24, 2022 CM



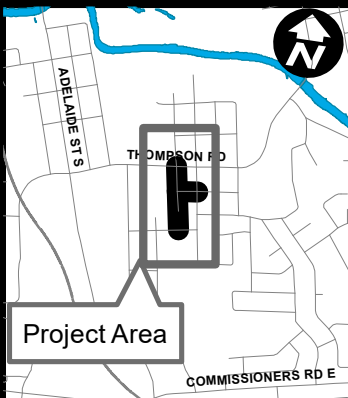
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APPENDIX 'B'



LOCATION MAP



2022 Infrastructure Renewal Program
Chesterfield Avenue, Westlake Street

Chesterfield Avenue from Thompson Road to Shirl Street
Westlake Street from Chesterfield Avenue to Gladstone Avenue

 Project Area

Map Produced by
the Sewer
Engineering
Division
February 24, 2022 CM



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Report to Civic Works Committee

To: Chair and Members
Civic Works Committee

From: Scott Mathers, MPA, P. Eng
Deputy City Manager, Planning and Economic Development

Subject: Public Participation Meeting – Amendments to Consolidated Fees and Charges By-law
Dundas Place Street Vendor Pilot Program

Date: March 29, 2022

Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development on the advice of the Director, Economic Services and Supports, the attached proposed by-law (Appendix “A”) being “A by-law to amended By-law A-57 being “A by-law to provide for Various Fees and Charges” by adding fees related to the Dundas Place Street Vendor Pilot Program, BE INTRODUCED at the Municipal Council meeting to be held on April 12, 2022.

Executive Summary

Purpose

The purpose of this report is to add a fee to the City of London’s Fees and Charges By-law to enable the creation of a new pilot program for Street Vendors on Dundas Place.

Context

The Streets By-Law permits an annual fee to be prescribed for conducting commercial uses in the public right-of-way. Similar commercial activities in the city are charged a such fee as prescribed in the Consolidated Fees and Charges By-law. Doing so during the proposed Dundas Place Street Vendors pilot program will make it consistent with this practice.

Linkage to the Corporate Strategic Plan

Allowing Street vendors on Dundas Place will contribute to Growing our Economy by creating a supportive environment where entrepreneurs, businesses, and talent can thrive. This program forms part of our strategy to revitalize London’s Downtown and urban areas and support entrepreneurs, start-up, and scale-up companies.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- November 28, 2017 – Planning and Environment Committee Dundas Place Management and Dundas Place Field House
- March 8, 2022 – Strategic Priorities and Policy Committee – Core Area Action Plan 2021 Review

2.0 Discussion and Considerations

2.1 New Dundas Place Street Vendor Pilot Program

Dundas Place was designed to support pedestrian-oriented activities including street vendors. The introduction of street vendors aligns with the vision in Our Move Forward: London's Downtown Plan to make Dundas Place London's most exciting street.

In previous years, any vendor on Dundas Place would have been associated with a Special Event booking. This new pilot program would allow certain types of street vendors to sell wares on Dundas Place any day of the week at prescribed locations and times.

Streets By-law 6-1

Section 6.5 of the Streets by-law identifies "Sales on streets" as a permitted use with the following requirements outlined:

It shall be lawful for goods to be sold upon a street (subject to the requirements of other laws) from a cart, vending box or stand approved as to location by the City Engineer upon the payment in advance of such annual fee as may be prescribed by the Council from time to time, and upon the delivery of proof of insurance in a form and amount satisfactory to the City Treasurer, and a pledge to indemnify and save harmless the City of London from all claims and judgments arising from such use of the street.

The new Dundas Place Street Vendor Pilot Program will include a vendor application form and review process, vendor location map, rules and guidelines for street vendors, and a fee prescribed by Council.

Street Vendor Fee

For this new pilot program, Civic Administration proposes a nominal fee of \$25 per quarter or an annual fee of \$100 plus HST. The intention is to make the program accessible to new small businesses, including those operated by individuals from marginalized communities, while covering the base labour cost of processing an application. This fee level is not intended to generate revenue of any kind. Any additional staff needs in managing the program on a day-to-day basis will be incorporated into the duties of the newly formed Ambassador Program and will therefore not need to be offset by the vendor fee during the 2022 pilot.

As a point of comparison within the City of London, the annual cost of a business licence for a Class 2 Refreshment Vehicle (non-motorized food cart) is \$180 plus HST. City of London Special Event vendor fees vary from \$39.20 to \$139.60 depending on a variety of details. These vendor fees are primarily used to control the number of vendor vehicles in the park during an event.

Program Rationale

Based on engagement done in 2021, brick-and-mortar business owners on Dundas Place are highly supportive of the addition of street vendors as part of the strategy to increase foot traffic by expanding the quantity and range of retail offerings. Street vendors increase a sense of personal security by providing additional eyes on the street and help implement Strategic Direction 6 "Create the Buzz" in Our Move Forward: London's Downtown Plan.

Street vendors may also contribute to the reduction of vacancies by incubating small businesses which may eventually transition to brick-and-mortar locations. Street vending provides opportunities to new or small-scale entrepreneurs, start-up, and scale-up companies who may not be ready to open a brick-and-mortar location.

Program Overview

The pilot program will consist of strategically located street vendor spaces on Dundas Place. Locations are selected based on street furnishings, nearby business types, and pedestrian activity.

Vendor types may include a curated range of art, craft, handmade goods, vintage, and specialty retail. This fee and pilot program will only be applicable to non-food related vendors.

Food vendors are currently permitted under the Business Licensing By-law - L.-131-16. Non-motorized food vendors, also known as food carts, are licensed as Class 2 Refreshment vehicles, and are permitted to operate in prescribed locations awarded to licensees through an annual lottery. 6 of the 12 existing food cart locations are on Dundas Place, which aligns well with this pilot program.

Street vendors associated with this pilot program will be subordinate to any 3rd party bookings of Dundas Place. Meaning if a 3rd party rents a block of Dundas Place, street vendors would not be allowed to operate on that part of the roadway for the duration of the event.

Permitted street vendors will be able to sell their wares on the sidewalk at prescribed locations on Dundas Place approved by the City Engineer in consultation with Downtown London BIA, at a first come first serve basis. Pedestrian, bicycle, and motor vehicle traffic will not be impeded by vendor stalls. Based on the flexible design of Dundas Place, vendors may operate when the street is open to traffic (facing inward toward the pedestrian lane) or when the street is closed to traffic (facing toward the middle of the street).

Management of the program will be overseen by the Manager, Core Area Programs through the Core Area Ambassadors with support from Customer Service staff in Neighbourhood and Community-Wide Services.

Program Evaluation

This pilot program will be closely monitored throughout 2022. Evaluation will include the number of vendor applicants and permits issued, vendor success, street safety impacts, and a survey of both permitted vendors and brick-and-mortar businesses. Depending on the results of the evaluation, the program may be expanded to other areas of the downtown and urban areas. Civic Administration will return to the appropriate committee in early 2023 with results and recommendations for next steps.

3.0 Financial Impact/Considerations

There are no significant financial implications as the proposed fee is intended to assist with the cost of the Pilot.

Conclusion

The Civic Administration recommends that the fee outlined in this report related to the Dundas Place Street Vendor Pilot Program be added to the City of London's Fees and Charges By-law.

Prepared by: Jim Yanchula, MCIP RPP
Manager, Core Area and Urban Regeneration

Submitted by: Stephen Thompson, MCIP RPP
Director, Economic Services and Supports

Recommended by: Scott Mathers, MPA, P. Eng
Deputy City Manager, Planning and Economic Development

APPENDIX "A"

Bill No.
2022
By-law No. A-

A by-law to amend By-law No. A-57 being "A by-law to provide for Various Fees and Charges and to repeal By-law A-56, as amended, being "A by-law to provide for Various Fees and Charges by adding fees related to the Dundas Place Street Vendor Pilot Program.

WHEREAS subsection 5(3) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the Municipal Act, 2001 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS section 10(1) of the Municipal Act, 2001 provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS section 10(2) of the Municipal Act, 2001 provides that a municipality may pass by-laws respecting: in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1);

AND WHEREAS section 391(1) of the Municipal Act, 2001 provides that a municipality may impose fees or charges on persons:

- (a) for services and activities provided or done by or on behalf of it;
- (b) for costs payable by it for services and activities provided or done by or on behalf of any other municipality or any local board; and
- (c) for the use of its property including property under its control;

AND WHEREAS it is deemed expedient to pass this by-law;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Schedules 1 and 2 of By-law A-57 entitled "A by-law to provide for Various Fees and Charges and to repeal By-law A-56, as amended, being "A by-law to provide for Various Fees and Charges" be amended in the Neighbourhood and Recreation Services Grouping by adding the following new fee under "Special Events Coordination":

"Dundas Place Street Vendor Pilot Program - \$25 per quarter or \$100 per year (including HST) effective April 12, 2022, to March 31, 2023"

2. This by-law comes into force on the day it is passed.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – April 12, 2022
Second Reading – April 12, 2022
Third Reading – April 12, 2022

From: Bil Robinson
Sent: Friday, March 25, 2022 10:30 AM
To: ppmclerks
Cc: Craven, Ryan
Subject: [EXTERNAL] proposed fee

The suggested fee sounds extremely low to me. I am currently paying over \$20,000 in taxes to sell product on Dundas. I can't tell you how upset I will be if someone comes onto the street and starts selling stereo equipment with an access cost of \$100 per year. The categories Vintage and Specialty could include a lot of items that are in direct competition to existing stores on the street. Existing successful downtown stores such as Heroes, Attic Books, ToWheels, Grooves, Canada Camera and Target Hi Fi all need to be protected from unfair competition as do the newer establishing vintage stores such as Chaotic Closet and Filthy Rubinas. Is turning Dundas Place into a flea market really such a good idea at all?

Bil Robinson

Target Hi Fi

Report to Civic Works Committee

To: Chair and Members
Civic Works Committee

From: Kelly Scherr, P.Eng., MBA, FEC
Deputy City Manager, Environment & Infrastructure

Subject: 2022 Renew London Infrastructure Construction Program
and 2021 Review

Date: March 29, 2022

Recommendation

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following report concerning the 2022 Renew London Infrastructure Construction Program **BE RECEIVED** for information.

Executive Summary

The purpose of this report is to provide Committee and Council with a review of the 2021 Renew London Construction Program and highlight major City construction projects planned for 2022. This report outlines successes and lessons learned from 2021 and identifies potential risks for the upcoming construction season and the measures planned to mitigate those risks. This report includes the following information.

2.1 – A review of the 2021 Renew London Program including a program overview, discussion of carryover work and budget implications.

2.2 – A look ahead to the 2022 Renew London Program.

2.3 – A summary of emerging construction industry pressures and several initiatives already implemented to mitigate potential impacts for 2022.

2.4 – An overview of the various construction mitigation, customer service and communication strategies applied to support Londoners through construction.

Additional supporting information has been included as appendices for reference.

Linkage to the Corporate Strategic Plan

The annual Renew London infrastructure Program supports several measures under Municipal Council's 2019-2023 Strategic Plan. The program helps in Building a Sustainable City by constructing new infrastructure that supports future development, protects the environment, and manages the infrastructure gap. The program is also related to Growing our Economy by increasing public and private investment in strategic locations. Lastly, the Renew London Construction program strives to Lead in Public Service by providing Londoners with valued customer service, timely communication, and coordination to minimize impacts.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Corporate Services Committee – January 31, 2022 – Procurement of Goods and Services Policy Revisions Resulting from the Pandemic and Current Business-Related Needs

Civic Works Committee – January 11, 2022 – Ontario Regulation (O.Reg.) 406/19 On-Site and Excess Soil Management

Civic Works Committee – March 30, 2021 – 2021 Renew London Infrastructure Construction Program and 2020 Review

Civic Works Committee – March 18, 2019 – Renew London Infrastructure Construction Program

Civic Works Committee – March 19, 2018 – Renew London Infrastructure Construction Program and 2017 Renew London Post Construction Overview Report

1.2 Context

The Renew London Infrastructure Construction Program manages the sustainability of London's infrastructure through a combination of road, bridge, bicycle, sewer, water, sidewalk and intersection improvements. The program addresses existing lifecycle needs, system improvements, and growth-related priorities.

Renew was created to drive efficiency in infrastructure delivery and minimize delays and inconveniences to the public during construction by coordinating annual capital construction projects. As leaders of the program, City staff are responsible for managing City construction projects and providing onsite inspection where required. This oversight helps to ensure projects are well-communicated, completed on time and on schedule, and safely built in accordance with plans, specifications, and City standards.

2.0 Discussion

2.1 Review: 2021 Renew London Infrastructure Construction Program

2021 Construction Program Overview

The 2021 Renew London Infrastructure Program constructed many projects to expand and improve City of London infrastructure. 2021 featured key transportation improvement projects that have enhanced road safety, improved traffic flow for motorists, cyclists, pedestrians, and transit users and maintained infrastructure in a state of good repair. Several necessary stormwater management projects were also advanced in 2021.

Overall, 2021 was a successful construction season with the reconstruction of 80 lane kilometres of road, 14 kilometres of sanitary and storm sewers, and 10 kilometres of watermains. The City managed a portfolio of Council-approved projects totalling approximately \$100 million.

The network for cyclists of all ages and abilities also took a large leap forward in 2021 with the completion of three important projects (Dundas Street-TVP connection, Colborne Street cycle track extension and Dundas Street East cycle track) and the incorporation of cycling infrastructure on many other streets (Brydges Street, Wavell Street, Saskatoon Street and Fanshawe Park Road). These projects make London's roads safer for all users, encourage more emissions-free travel and leverage existing cycling investments by connecting to more people and places. Overall the cycling network expanded by 8.5 lane-km in 2021.

The COVID-19 pandemic continued adding pressure to an already constrained construction season but, working with its many industry partners, the City was able to keep projects safely moving forward and support investments in infrastructure.

Appendix A captures details of the 2021 Top 10 infrastructure renewal list and highlights some noteworthy projects from last year.

2021 Contract Carryover Work

Minor finishing touches remain on some 2021 construction projects. This work is often surface work including the top layer of asphalt and installation of permanent pavement markings. These finishing touches are included in 2021 tenders, but generally completed for road reconstruction projects in the subsequent year to optimize material placement in better weather. The City plans on placing top coat of asphalt for 30 lane-kilometres of road in 2022. This work is coordinated with the 2022 construction program to ensure conflicts with projects in nearby areas are avoided.

Budgets and Schedules

The City managed approximately \$100 million in infrastructure construction project work in 2021. The Construction Administration (CA) Team takes great pride in delivering London's annual construction program on time and on budget. To support this, the team continues to develop tools to monitor performance metrics throughout construction. The CA Project Management Dashboard tracks and monitors construction project progress against the established budget and estimated working days and ensures all invoices are paid in accordance with prompt payment legislation requirements.

Clear, defensible contract documents, engaged project management and active schedule and budget monitoring are tools used to safeguard awarded contract budgets. Contracts also include a contingency to account for typical issues or change orders that can pop up in any project, often related to unforeseen underground conditions and utility coordination complications.

The impacts of the COVID-19 pandemic have impacted many industries and economic sectors, including municipal construction and project teams have been observing an increase in the use of contingency funds across all projects. Change orders as a percentage of contract value increased from 3.17% in 2020 to 5.41% in 2021. Increased contingency usage in 2021 was mainly related to price increases in the Asphalt Cement Index and scope changes to incorporate necessary added infrastructure renewal work not identified in the tender, noting that it is almost always more cost-effective and less disruptive to implement these scope changes while the contractor is engaged at competitive unit prices than to proceed with a subsequent separate tender.

With an annual construction program of this scale, there can be projects that encounter budget impacts that exceed the available contingency due to challenges that could not have been anticipated by the contractor, consultant, or the City. At the conclusion of 2021, the majority of projects are expected to be completed on or ahead of schedule and remain on budget. The following 2021 projects were impacted by budget pressures that exceeded the awarded contract value. The combined value of these contract increase requests reflects an overall budget variance of 1.7%, which is less than the estimated 4.6% overall savings resulting from unused contingency dollars over the program. Unused contingency funds are returned to program budgets to support additional infrastructure renewal the following year.

Transportation Infrastructure Renewal Projects

- Dundas Street TVP Connection
- Fanshawe Park Road Boulevard Cycling Lanes Rehabilitation
- Colborne Arterial Road Reconstruction project

Water and Wastewater Infrastructure Renewal Project

- English Street and Lorne Avenue

Stormwater Infrastructure Renewal Project

- Metamora Stormwater Outfall Replacement

Companion reports have been prepared for the projects noted above to recommend contract amendments in accordance with the Purchasing and Services Policy. These reports are included for the same March 29, 2022, Civic Works Committee agenda.

Additionally, the budgets for the Wortley Road and Brydges Street / Wavell Street Cycle Track projects are being closely monitored as they complete carry over work in 2022. The project team is evaluating all options to keep these projects within budget and will follow the requirements of the Procurement Policy should additional funds be required at a later date.

2.2 2022 Renew London Infrastructure Construction Program

2022 Construction Program Overview

The 2022 budgets will invest in key priority areas to support the city's growing population needs and make improvements to aging infrastructure. Focus remains on essential infrastructure and investments in replacing or building much-needed roads, water, and wastewater infrastructure.

The City is committing approximately \$190 million in construction improvements in 2022. This 2022 program includes lifecycle renewal investments of \$45 million for road improvements, \$39 million for sewer improvements, and \$30 million for water system improvements. Growth and external provincial and federal funding also contribute to 2022 projects such as the Adelaide Street Underpass project, Downtown Loop Phase 2 and East London Link Phase 1. Delivering these investments through integrated projects reduces costs by coordinating underground infrastructure work with the rehabilitation of roads, curbs, and sidewalks. This will improve and extend the lifecycle of London's critical road, water and sewer infrastructure and the reliability of its systems while protecting the environment.

There will be 90 lane-kilometres of road reconstructed, 13 kilometres of sanitary and storm sewers replaced or added, and 7.5 kilometres of watermain rebuilt in 2022. Approximately 0.25 kilometres of combined sewer will be removed, having a significant benefit to the environment. Over 20 intersections improvements will be constructed to address safety concerns in growing areas. More than 15 kilometres of new bike lanes and 6.5 kilometres of new sidewalk will be added and about 18 kilometres of existing sidewalks replaced. Cycling and sidewalks infrastructure will be built to improve safety, connectivity and accessibility.

In addition, 4 kilometres of watermain and 7.6 kilometres of sewers will be lined without having to dig trenches. These trenchless programs accomplish the goals of upgrading the infrastructure while allowing for significant capital avoidance and minimized social impact to residents and businesses by avoiding open cut construction.

The Top 10 Construction Projects are selected each year to provide an overview of the upcoming year's work and impacts. The 2022 projects involve areas across London, including Adelaide Street North Underpass, two rapid transit projects, Victoria Bridge Replacement, as well as other essential underground road and underground infrastructure upgrades and continued improvements to the cycling network.

The Downtown core will experience focused investments again in 2022 with the second phase of the Downtown Loop project on Queens Avenue and Ridout Street as well as Victoria Bridge and the start of the Adelaide Street grade separation project. The East Link on King Street will also begin in spring this year and will be closely coordinated with the other Core projects. While the 2022 projects have been scheduled to minimize disruptions to traffic, commuting around the city will be impacted. Residents are encouraged to plan ahead and exercise patience when traveling around construction zones.

Appendix B captures details of the 2022 Top 10 projects.

Visit london.ca/roadconstruction to learn more about the 2022 infrastructure projects and to view an [interactive story map](#) of this year's Top 10 Construction Projects. Communications efforts on the overall 2022 construction program and targeted communications on specific projects are either already underway or will be launching very soon.

2.3 Emerging Construction Industry Pressures

2022 is on track to be the City of London's largest construction season in terms of both the number of projects and the value of the work. The construction industry in London and across Ontario is going through a period of considerable change with new standards, legislative requirements, and market conditions. There are several risks for the upcoming construction season that may impact project budgets, schedules, staff resources.

General Trends

COVID-19 Protocols

The health and safety of all workers involved in construction, both contracted and City staff, is of paramount importance. In 2021, Contractors showed resilience and were able to build upon safety measures implemented in 2020, which included wearing of masks, screening daily for symptoms and working two meters apart where required. Industry response to evolving requirements was well-managed.

Safe work on construction sites will continue to include applicable COVID-related environmental, health and safety requirements. As Provincial restrictions are eased, the City's project teams will continue to monitor necessary health and safety precautions and remain prepared to implement mitigation measures as required to safely advance construction projects to completion should the Provincial regulations change.

Excess Soil Management Regulation

The Ministry of Environment, Parks and Conservation (MECP) "On-Site and Excess Soil Management Regulation" (O.Reg. 406/19) came into effect January 1, 2022, requiring soil sampling and testing, as well as documentation, tracking and registration of excess soil leaving construction sites. Contractors will be required to identify potential re-use sites for excess soil in their bids and complete additional post-contract award soil sampling and testing before construction can proceed in full.

Excess soil sampling and testing activities required prior to starting site excavation have the potential to add weeks to an already-constrained construction season. Industry engagement has also flagged concerns for potential backlogs at environmental testing laboratories and potential shortages in qualified staff for these facilities. The impacts to projects are difficult to assess without experience applying the new regulations on specific projects. London's early 2022 projects have experienced significant budget implications. In the interim, extra contingency costs are being incorporated into project budgets, particularly for larger projects requiring significant excavation. It is anticipated that, as the industry adapts to the new regulations, anticipated costs to specific projects will be better defined during the planning and design process. The schedule and budget implications of excess soil sampling on City contracts are untested until the industry has experienced one or two construction seasons under the new provincial regulations.

On March 14, 2022, MECP provided notification of a proposal to temporarily delay implementing O.Reg 406/19 until January 1, 2023. City staff will seek clarification on the implications of the proposed delay and review 2022 projects on a case by case basis for potential cost and schedule savings.

Schedule Pressures

Infrastructure Renewal and growth projects have become increasingly complex in recent years with servicing partners seeking to align multiple renewal needs, utility coordination and innovative design elements requiring specialized sub-trades all of which can impact the length of a construction contract. As is, most of these projects require a full construction season to complete the required works, often with finishing touches and cleanup work carrying over into the spring. Supply chain interruptions, labour shortages and industry capacity have the potential to create additional pressures to the construction window in 2022 and beyond.

Supply Chain Interruptions

The City has seen firsthand in the marketplace the impacts of global supply chain interruptions. Most capital projects require the contractor to source materials, which delays the purchase until the contracts are awarded. Pre-ordering can be challenging for those materials requiring 'shop drawings' from the awarded contractor. Pre-ordering construction materials also requires careful consideration for storage and inventory while maintaining care-and-control of the items. It is critical that successful contractors are provided as much time as possible to order project materials to reduce the impacts of supply chain concerns. Global supply chain issues will be a significant risk in 2022, impacting the supply of vehicles and equipment, steel and plastic products, electronics and other necessary materials and equipment.

Labour Shortages

Labour shortages and increasing costs for skilled labour can add risk, which generally equates to increased project costs and longer project schedules. Many industries, including construction, are facing severe labour shortage issues as they struggle to return to regular working capacity amid COVID-19. Some capital projects over the last two years experienced extended waits for underground utility locates stemming from a combination of locate service providers having difficulty retaining staff through the pandemic combined with significantly higher than anticipated demand as both growth and public infrastructure investment hit record or near-record levels

Industry Capacity

2022 will be one of London's largest construction seasons to date, with senior government funds contributing to several "mega-projects" on top of the usual slate of critical infrastructure renewal and growth projects. At the same time, the residential building industry is also booming, with many local contractors and subcontractors also

working to support expanding new developments across London. It will be important to monitor and coordinate across projects, particularly later in the season when multiple jobs will be looking for temperature-dependant asphalt, concrete and pavement-marking work to complete or stabilize projects prior to freeze-up.

Budget Pressures

Inflationary pressures for consumers and businesses have been well-documented in recent months and construction is no exception. One indicator of the impacts of inflation on construction pricing is the Statistics Canada Non-Residential Building Construction Price Index, which increased 11.6% over the last 12 months. The Building CPI is useful to track overall national economic trends.

Material Costs

Supply chain interruptions have the potential to drive material costs over the duration of the construction season. Price increases have already been observed for items such as personal protective equipment (PPE), steel, copper, aluminum, lumber, paper products, electronics (micro chip shortages which also impact vehicle and heavy equipment deliveries and prices), plastics, utilities and fuel. Tender bid prices may also increase due to late or uncertain construction start dates associated with supply chain delays.

Asphalt Cement Index

The City of London experienced almost \$400,000 in extra costs for placing asphalt on projects in 2021 from projects tendered in 2020 and 2021. This cost is related to the Asphalt Cement (AC) Index charge to the project. The AC charge is the price the road authority pays for asphalt cement and is directly linked to the published price index of the commodity, as set out by the Ministry of Transportation. The cost of asphalt increased dramatically between the time of contract tendering and asphalt paving. This cost increase was unpredictable and is not within the City's control to mitigate, noting AC impacts on 2022 projects will be closely monitored to better inform future project budgets. The rapid rise in the price of petrochemicals being experienced globally due to the situation in Ukraine is expected to further escalate AC charges in 2022.

Late Season Construction Costs

The above-noted schedule pressures have the potential to delay the start of construction, ultimately driving more projects later into the construction season and possibly pushing some works to the following year. There is also potential for additional charges if contractors are forced to perform work too far into the fall or winter ("winter heat charges"). While cleanup and deficiency work in the spring is normal, pushing larger components of the contract to the following year can have both direct project costs and extend the impacts on residents and businesses.

2022 Infrastructure Renewal Program Mitigations

Over the last two years, the COVID-19 pandemic and global supply chain interruptions have significantly impacted many industries and economic sectors, including municipal construction. While the complex and ever-shifting conditions make it challenging to anticipate implications for the 2022 construction season with precision, the team continues to monitor industry trends and implement measures to minimize likely risks, disruptions and financial pressures. The goal is to continue prioritizing flexible planning and mitigation strategies to appropriately respond to emerging issues and pandemic impacts.

Several initiatives and actions have already been implemented in an effort to alleviate the potential impacts of anticipated schedule and budget pressures.

Locate Services

Locates are a critical first step to any construction project that can add time to the construction schedule if delayed. In recognition of ongoing utility locate delays provincewide and their impacts on municipal construction projects, the City of London has begun inserting the requirement for contractors to use a dedicated locator in 2022 construction contracts. This dedicated locator model strategy is a trial intended to enable faster and more efficient location of underground utilities to streamline projects, minimize or eliminate delays, and minimize or eliminate the risk of damaging important infrastructure.

Administrative Increase to Contract Awards

The process for bringing contract awards forward for Council approval prior to document execution requires a minimum eight-week timeline from tender close to contract execution, leaving only five business days to confirm the compliant low bid and then turn around utility cost sharing agreements and finalize the source of financing. Administrative award of contracts allows for document execution within two weeks and much greater flexibility when timing the posting of tenders.

In February 2022, Council increased the dollar limit for delegated authority of contract awards to \$6 million from \$3 million. Streamlining more tender awards through an administrative process will reduce document execution timelines providing much needed additional time at the start of construction contracts. Prompt award and document execution following tender close also supports contractors in finalizing their agreements with subcontractors who may only hold their prices for a limited period given the volatile market.

Irregular bids or bids exceeding the available budget will still be brought forward for Council approval.

Early Tender Calls

The City's multi-year budgeting approach allows for better planning and provides greater certainty to the construction industry. Early notice of construction plans ensures the City can secure contractors and achieve value for money for taxpayers. The tender list is shared with the industry in the fall so they can thoroughly prepare and bid on upcoming projects, mitigating the risk of price increases, and delivering the best possible value for taxpayers. Earlier tendering and timelier contract award yields significant efficiencies and cost savings. Earlier tendering creates a more competitive bidding environment and streamlines the process for road reconstruction and underground infrastructure renewal projects.

2.4 Delivering Construction Excellence for London

The establishment of the Core Construction Program in 2018 represented a fundamental shift in the way the City approaches construction projects. The teams managing construction projects have continued to build on that approach by expanding resources and communications to ensure it is providing "above and beyond" service to business and community stakeholders affected by construction.

This annual Renew London report is more than a review of the current and previous year's Infrastructure Construction Programs. It also provides an opportunity to highlight the many construction mitigation, customer service and communication strategies applied to support Londoners through construction.

New for this year's annual Renew London report, these fundamental strategies have been captured in supporting appendix documents. Going forward, this section of the

Renew report will highlight key lessons learned from the previous construction season to be incorporated into these strategy summaries year over year. This section also highlights planned initiatives to support continuous improvement in the delivery of the City's annual construction program.

Construction Mitigation Strategies

2021 once again saw significant works constructed in the Downtown and Old East Village. As a result, the project teams have continued to develop an understanding of the social challenges of working in a dense and urban environment.

Daily deliveries, commercial and residential access, sidewalk access, and security are all important issues to consider when constructing projects in these environments. The projects teams learned about managing the need for enhanced security when needed to keep City and Contractor property safe during inactive periods of the project. Maintaining sidewalk access throughout construction zones with regard for AODA requirements to support people with disabilities is especially important in the core area.

To help support businesses during the COVID-19 pandemic and construction, the City added temporary and courtesy park and pick-up locations throughout the downtown for customers and food delivery drivers when making quick food and parcel pickups. These short-term parking spots will continue to be available throughout the 2022 construction season.

Maintaining road access is not possible for all construction zones. Traffic control plans are established at the start of the project considering all modes, including vehicles, transit and cyclists. Detour signs are installed to help road users navigate the area and traffic changes and road restrictions are informed in advance through Public Service Announcements (PSAs), email notifications and social media.

Appendix C contains a more fulsome description of measures used to mitigate the impacts of construction for all Londoners.

Communications and Customer Service Strategies

In 2021, the City continued to prioritize strong communications efforts to support local businesses and keep Londoners informed during construction, especially in the core area.

Working closely with Core-area BIAs – and relying on valuable feedback from residents and businesses gathered through recent Core Construction surveys – the team continued to prioritize communications tactics that provide the most value to stakeholders.

From having a dedicated, on-the-ground business relations manager, to enhancing wayfinding signage and advertising, the team applied a variety of traditional and digital tactics to support businesses through construction of the Downtown Loop Phase 1 and Old East Village Infrastructure Renewal projects.

Strong, evidence-based communications efforts will continue to be applied this year to support businesses in the core area. At the end of 2021 construction, 96 businesses who participated in the Core Construction survey continued to identify personal interactions with City staff, online resources, signage and parking accommodations as the most effective initiatives to support them in serving customers during construction – so these will continue to be areas of focus. Innovative tactics designed to help the team share construction information in a more timely manner are also being explored.

Appendix D contains a more fulsome description of communications efforts used to keep the community informed before and during construction.

Construction and Infrastructure Services: Planned Initiatives

The corporate restructuring in 2021 established Construction and Infrastructure Services (CIS) which brought together the Construction Administration, Major Projects, and Geomatics Divisions to create a “centre of excellence” around construction infrastructure support services. The CIS team is involved in the administration, coordination and communication of delivering almost all of the City’s capital construction program on an annual basis.

Standard Contract Document Annual Review – Process Update

London’s Standard Contract Documents (LSCD) define the basis of all City construction contracts including both parties’ roles, responsibilities, and detailed description of the work or service such as drawings, specifications, procedures, any other conditions, etc. Each year, the City undertakes a collaborative LSCD review with input from local contractors and consultants to continuously improve contract language and maintain clear, organized standards. A similar annual process is the review and update of the Design Specifications and Requirements Manual (DSRM) which guides standards for municipal infrastructure constructed through development. Staff will explore options to enhance LSCD engagement with industry partners and move to a more formal process, similar to that used for the Design Specifications Requirements Manual.

Explore Options for a “Good Neighbour” Constructor Program

London is fortunate to have strong local and regional industry that has supported the City’s ongoing efforts to enhance construction administration for the annual infrastructure program. Building on that relationship, CIS is exploring ideas to develop a program that captures best practices contractors can use to be a “good neighbour” in the communities they are working in. Principles of a good neighbour constructor might include:

- Supporting robust communications with affected neighbours
- Keeping a clean and tidy job site
- Maintaining an accessible site and helps those with disabilities navigate it easily
- Demonstrating a respectful workplace
- Respecting the environment
- Engaging and supporting local businesses

Once developed, a program like this could be branded and promoted to the public as a symbol of how the City and its contractors take pride in their job sites.

Community Employment Benefits (CEB)

As a requirement of the Investing in Canada Infrastructure Program (ICIP) funding, all projects with over \$10 million in federal contributions are required to participate in the Community Employment Benefits (CEB) initiative. The goal of the initiative is to leverage infrastructure investments to benefit the communities and neighbourhoods where that infrastructure is built. Projects featuring CEB in 2022 include the two Rapid Transit Projects and the Adelaide Grade Separation. These projects are required to set specific CEB wage targets for federally-identified, under-represented target groups and then report annually on progress made against those targets. The team continues to monitor the implementation of CEB positions within applicable contracts and report back to ICIP progress against targets and share qualitative feedback on the successes and challenges of the program.

Conclusion

The Renew London Construction Program manages the sustainability of London's infrastructure through a combination of road, bridge, bicycle, sewer, water, sidewalk and intersection improvements. The annual program is planned to address asset needs for infrastructure lifecycle renewal while at the same time ensuring that the growth requirements of the community are met in a timely manner.

2021 was a successful construction season with a portfolio of Council-approved projects totalling approximately \$100 million. In spite of mounting economic pressures stemming from pandemic and global supply chain impacts, the majority of 2021 projects are expected to be completed on or ahead of schedule and remain on budget. Companion reports have been included on this agenda for those projects in which budget pressures exceeded the awarded contract value.

The 2022 proposed construction portfolio is currently estimated at \$190 million. The program will reconstruct 90 lane-kilometres of road, add or replace 13 kilometres of sanitary and storm sewers, rebuild 7.5 kilometres of watermain and remove approximately 0.25 kilometres of combined sewer. Over 20 intersections will be improved along with adding more than 15 kilometres of new bike lanes, 6.5 kilometres of new sidewalk will be added and replacing about 18 kilometres of existing sidewalks. A robust communications plan for the 2022 program overall will start soon and targeted plans for individual projects are either underway or launch shortly as well.

Emerging market conditions and new regulations will increase pressure on project schedules in an already constrained construction season as well as project budgets. Advance measures have been taken to help mitigate these potential project risks, such as implementing a dedicated locator model for City projects, increased the dollar limit for delegated authority of contract awards, and early tender posts for the four largest projects. While it is challenging to predict how global and local pressures may affect the 2022 construction season, the team continues to monitor industry trends and prioritize flexibility and mitigation strategies in order to appropriately respond to emerging issues and ongoing pandemic impacts.

The City strives offer robust construction mitigations as well as sustained, sincere, and strategic communications as part of its annual construction program. Lessons learned from 2021 projects and anticipated risks associated with the 2022 construction season have been communicated to project managers to support design and future project planning.

Prepared by: Ugo DeCandido, P.Eng., Division Manager, Construction Administration

Submitted by: Jennie Dann, P.Eng., Director, Construction and Infrastructure Services

Recommended by: Kelly Scherr, P. Eng., MBA, FEC, Deputy City Manager, Environment and Infrastructure

APPENDIX A – 2021 Renew Construction Program Top 10 List and Project Highlights
APPENDIX B – 2022 Renew Construction Program Top 10 List
APPENDIX C – Construction Mitigations Strategies
APPENDIX D – Communications & Customer Service Strategies

c:

Accessibility Community Advisory Committee
Integrated Transportation Community Advisory Committee
London Transit Commission
Downtown London Business Improvement Association
Old East Village Business Improvement Association

APPENDIX A – 2021 Renew Construction Program List

The chart below identifies the Top 10 City projects in 2021, the status and tendered contract amount.

Three noteworthy 2021 construction projects, highlighted below, implemented exciting new infrastructure and various transportation projects made big achievements in further expanding London’s cycling network.

Project	Tendered Contract Amount (Millions)	Status
Downtown Loop Phase I & Municipal Infrastructure Improvements (King Street)	\$8.2 M	2-year project. Phase 1 mostly completed in 2021 with streetscape, sidewalks to be completed in 2022. Phase 2 scheduled for 2022.
Adelaide St North Underpass: Improved Mobility and Road Improvements	\$60.19 M	3-year project 2021 project work included extensive site preparation and investigation. Project capital construction starting spring 2022
Dundas Street (Old East Village) Infrastructure Renewal	\$12.5 M (2020)	2-year project. Phase 1 2020 and Phase 2 2021. Mostly complete with spring 2022 finishing touches.
Dundas TVP Connection: Cycling Infrastructure Improvements	\$2.4 M	Mostly complete with spring 2022 finishing touches.
Highbury Avenue – Wenige Expressway Bridge Renewal	\$8.8 M (2020)	2-year project. Phase 1 was completed in 2020. Phase 2 completed in 2021. Mostly complete with Spring 2022 finishing touches.
Hyde Park and Sunningdale Roundabout: Intersection Improvement	\$3.7 M	Mostly complete with street light poles and finishing touches spring 2022.
Brydges Street Infrastructure Renewal	\$5.9 M	2-year project. Phase 1 mostly completed in 2021 with top coat of asphalt to be completed in 2022. Phase 2 scheduled for 2022.
Saskatoon and Brydges/Wavell Bike Lanes	\$2.7 M	Project half complete in 2021. All work on Saskatoon and partial work on Brydges to be completed in 2022.
Mornington Storm Management Pond Expansion	\$4.4 M	Project mostly complete within Right of Way / streets. Park and pond restoration to be completed in spring 2022.
Wortley Road	\$2.9 M	Project phased in 2021. 2 nd phase experienced delays and will be completed in spring 2022. Top coat of asphalt to be completed for both phases in 2022.

2021 Project Highlight: Hyde Park Road and Sunningdale Road West Roundabout

Reconstruction of the Hyde Park Road and Sunningdale Road intersection as a roundabout, was completed in fall 2021 with finishing touches planned for spring 2022. The two-lane roundabout improves safety for all road users and helps accommodate existing and future travel demand. The project also upgraded underground infrastructure which will help accommodate future growth and has an aesthetically pleasing finish due to landscaping in the central island. The completion of this roundabout is a safe and vital link in the London's transportation network and further realizes environmental benefits by reducing greenhouse gas emissions that result from idling and stop/starts.



Aerial pictures of Hyde Park /Sunningdale Road Roundabout before construction – existing two-way stop intersection



Aerial pictures of Hyde Park /Sunningdale Road Roundabout After construction – new two lane roundabout.

2021 Project Highlight: Dundas Street East (Old East Village)

The Dundas Street East (Old East Village) project was started in 2020 and completed in 2021. The improvements provide safe pedestrian movements and accessibility throughout the Dundas Street East corridor (Adelaide to Ontario), as well as providing area businesses with better features through enhanced lighting, visibility, and London's first main street bike-way.

Dundas Street East is a vital component and attraction to Old East Village ("OEV"). With proposed intensification in the area, maintaining and enhancing this corridor is an essential component in the success of OEV revitalization and the London Plan. This \$12.5 million project has transformed Dundas Street East and given it a more accessible and attractive pedestrian realm able to support sidewalk activations and draw in residents and visitors.



Streetscape and cycle track on Dundas Street in OEV



Paving top surface on Dundas Street in OEV

Downtown Loop and Municipal Infrastructure Improvements, Phase 1

In 2021, Phase 1 construction of the Downtown Loop added a new curbside bus-only lane on King Street between Wellington and Ridout Streets. The project also included new streetscape elements and transportation and transit improvements aboveground, while replacing aging sewers and other underground infrastructure.

The Downtown Loop Phase 1 represents the first part of London’s three rapid transit projects to be constructed, with the aim of providing Londoners with safer, more efficient transit operations. Once the Downtown Loop is complete, it will serve as a hub for future east and south legs of rapid transit extending across London, including the East London Link and Wellington Gateway.

The remaining phases of the Downtown Loop are planned to be constructed in 2022 and 2023. Permanent red bus-only lane markings and bus stop shelter infrastructure will follow under a separate contract.



Paving top surface on King Street between Talbot and Richmond Streets.



New maintenance hole structure supported by multiple beams at Clarence and King intersection

Cycling Infrastructure Improvement Projects

The second phase of the Dundas Street-TVP Connection was completed in 2021 creating a new two-way protected bike lane on Dundas Street and an improved link for pedestrians and cyclists between the [Thames Valley Parkway](#) (TVP) and downtown.

The Colborne Arterial Road Reconstruction project further expanded the implementation of the core cycling network by extending the Colborne Cycle Track. The project involved pavement and signal renewal combined with over a kilometer of active transportation infrastructure to make cycling more accessible for cyclists of all ages and abilities connecting areas north of Oxford Street with Dundas Street, the core, and nearby schools. Construction started in late 2020 and the project was opened to traffic and transit operations in November 2021.

The Fanshawe Park Road Boulevard Cycling Lane project rehabilitated five of six phases of the existing boulevard cycling lanes on Fanshawe Park Road between Wonderland Road and Adelaide Street. It also included accessibility measures to support AODA requirements and improved waiting areas at bus stops.

There were three other cycling projects started in 2021 with remaining phases carrying over into 2022. The first phase of Brydges Street was completed adding bike lanes between Egerton Street and Highbury Avenue. Phase one of two was also completed to construct protected bike lanes east of Highbury Avenue on Brydges Street, Wavell Street and Saskatoon Street that will connect Kiwanis Park, East Lions Community Centre, two elementary and one secondary school when finished.



New bike lanes at Colborne Street



New bike lanes at Colborne and Central intersection



Dundas Cycle Track



New Cyclist Traffic Light at Dundas and Ridout intersection

APPENDIX B – 2022 Renew Construction Program List & Top 10

The 2022 City's Top 10 Construction Projects are selected each year to provide an overview of the upcoming year's work and impacts. City staff have identified the Top 10 projects that will take place during the 2022 construction season.

The Top 10 are selected based on the following criteria:

- Scope of work (e.g., complete utility and sewer rebuild, asphalt resurfacing)
- Construction duration
- Location in relation to other nearby projects and the expected future benefits
- Road classification
- Road user impact
- Transit impact
- Impact to neighbours
- Proximity to events, schools, community centres, parks, cycle routes
- Economic impact and Government funding
- Supply chain exposure
- Excess Soil

2022 City's Top 10 Construction Projects

Adelaide St North Underpass

1

Work Type: Improved Mobility, Road Improvements

Tender: \$60.2M

Benefits: Improved mobility, new sewer infrastructure, and enhanced lighting.

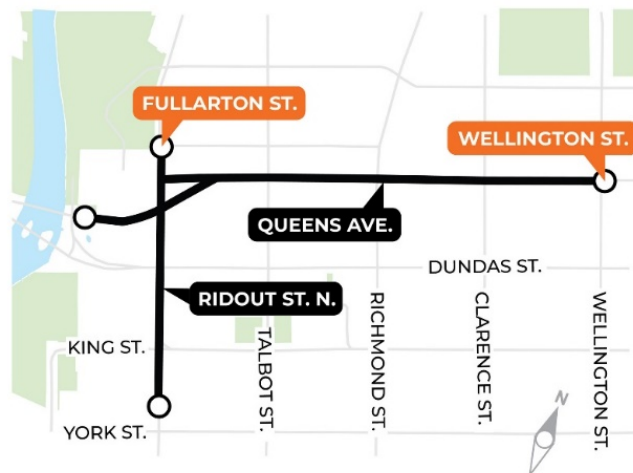
- Temporary sidewalk closures
- LTC route impacts
- Road closure
- Road closure

Website: london.ca/adelaide

Adelaide Street North Underpass

Downtown Loop Phase 2

(Queens Avenue and Ridout Street North)







Work Type: Rapid Transit and Municipal Infrastructure Improvements

Tender: \$17.2M

Public Transit Infrastructure Stream (PTIS)

Benefits: Improved mobility, connectivity to transit, streetscaping, and water and sewer infrastructure to accommodate future growth.

-  Temporary sidewalk closures
-  LTC route impacts, detour to Dufferin
-  Cycling detour/connections
-  Phased road closures

Website: london.ca/downtownloop



Downtown Loop Phase 2

East London Link Phase I

(King Street)







Work Type: Rapid Transit and Municipal Infrastructure Improvements

Tender: \$20.9M

Public Transit Infrastructure Stream (PTIS)

Benefits: Improved underground infrastructure, connectivity to transit, streetscaping, and a separated bike lane.

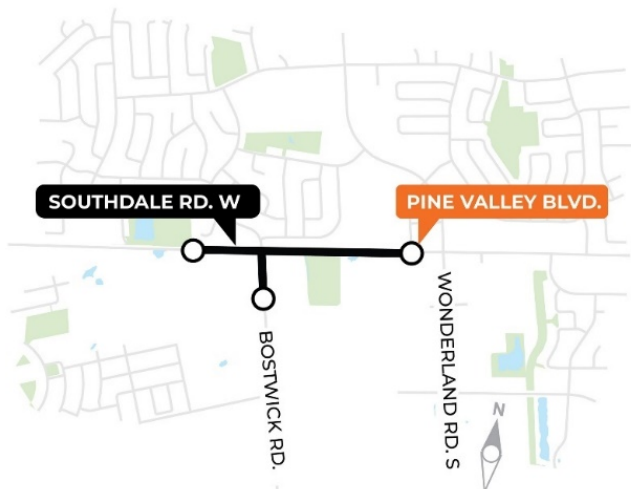
-  Temporary sidewalk closures
-  LTC route impacts
-  Dundas bikeway connection
-  Road closures

Website: london.ca/eastlondonlink



East London Link Phase 1





Southdale Road West



Work Type: Road and Infrastructure Improvements

Tender: \$10.2M

Benefits: Improved underground infrastructure, road reconstruction, streetscape enhancements, new sidewalks and bike paths.

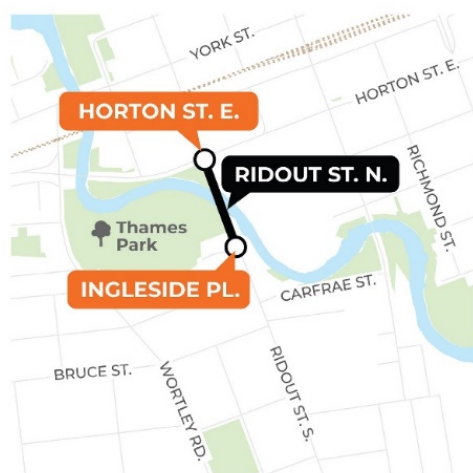
-  Temporary sidewalk closures
-  LTC stop impacts
-  Lane restrictions
-  Lane restrictions

Website: getinvolved.london.ca/southdale



Southdale Road West





Victoria Bridge Replacement



Work Type: Infrastructure Renewal

Tender: \$22.8M

Benefits: Replace an aging 1920s truss bridge with new through arch-structure and improve active transportation network with wider sidewalks and extend bike lane connection to Thames Park.

-  Temporary active transportation bridge
-  LTC route impacts
-  Temporary active transportation bridge
-  Road closure

Website: getinvolved.london.ca/victoriabridge



Victoria Bridge Replacement

Mud Creek Phase 2



Work Type: Stormwater Improvement

Tender: \$9M (Estimated)

Benefits: Allviate existing and future flooding concerns identified in the Mud Creek Subwatershed Environmental Assessment.

-  Temporary restrictions
-  No LTC impact
-  Road closure
-  Road closure

Website: getinvolved.london.ca/mud-creek-phase-2



Mud Creek Phase 2




Kilworth Bridge Rehabilitation



Work Type: Bridge Improvement

Tender: \$500K

Benefits: Improved bridge condition and multi-use pathway below the bridge.

-  LTC route impacts
-  Road closure
-  Road closure



Kilworth Bridge Rehabilitation





Queens Avenue Road and Cycle Rehabilitation



Work Type: New Cycling Infrastructure and Road Renewal

Tender: Estimated \$1.5M

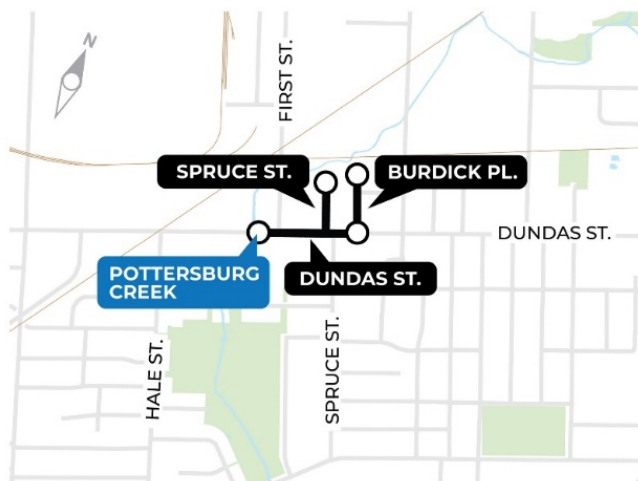
Benefits: Improved cycling infrastructure .

-  Temporary sidewalk closure
-  LTC stop impacts
-  Lane restrictions
-  Lane restrictions



Queens Avenue Road and Cycle Rehabilitation





Pottersburg Phase I Reconstruction



Work Type: Infrastructure Renewal

Tender: \$5.8M

Benefits: Replacement of water and sewer infrastructure underground.

-  Temporary sidewalk closure
-  LTC stop impacts
-  Lane restrictions
-  Lane restrictions

Website: getinvolved.london.ca/pottersburgea



Pottersburg Phase 1 Reconstruction

Brydges Street



Work Type: Infrastructure Renewal

Tender: \$5.9M

Benefits: Removal of combined sewer, and addition of new bike lanes.

-  Two year project
-  Temporary sidewalk closure
-  No LTC impact
-  Road closure
-  Road closure

Website: getinvolved.london.ca/brydges



Brydges Street

APPENDIX C – Construction Mitigation Strategies

The teams managing construction projects are regularly drawing upon lessons learned through the annual Renew Program to raise the bar on public service when supporting business and community stakeholders affected by construction. The following strategies are applied to help mitigate the impacts of construction for Londoners.

Project Coordination Mitigations

The Renew London Infrastructure Program was created to drive construction efficiency by coordinating capital construction projects across Environment and Infrastructure. There are additional opportunities for City Staff to coordinate projects across internal and private partners to avoid potential overlapping construction impacts.

Core Area Construction Coordination Committee (CAC3)

The CAC3 was established in 2018 to better coordinate transportation impacts in the core stemming from known projects and permits in or affecting right-of-way, to inform core construction communications. Coordination of all construction activities in densely developed parts of the city, which are used intensively day and night by multiple diverse users, involves collaboration across several City divisions. Effective communication is paramount internally and with the City's private partners, transit, and emergency services. The committee focuses on anticipating and minimizing impacts and achieving equity in the travel experiences of all road users (pedestrians, cyclists, transit users and motorists) through weekly meetings during the construction season. In 2022, the core-area boundary being monitored by the Downtown Construction Coordination Committee extends from Horton Street to Oxford Street and from the Thames River to Ontario Street.

Utility Coordinating Committee

The mandate of the Utility Coordinating Committee (UCC) is to provide advanced planning of infrastructure work in the municipal right-of-way for over 20 different public and private organizations. Coordinating this work is a complex challenge compounded by hundreds of emergency and routine operational repairs undertaken by City Roads, Water, Sewer and Forestry Operation teams annually. There has been a significant increase in project applications for telecom companies which will continue as fibre to the home programs blanket most areas of the city.

Advanced cumulative planning through the UCC allows the City staff to better respond to proposed and unplanned work and helps visualize the effects of all projects relative to others and promotes better definition of specifications around scheduling of contracts. The City's goal is to ensure that construction is planned and sequenced in a manner that minimizes impacts on traffic and disruption to the public.

Phasing and Staging Projects

Through experiences on several recent larger projects, the City has recognized the benefits of splitting large scale projects into phases over multiple years or into stages by location within a single season, where possible. As with most projects there are inevitable challenges that can affect a project's schedule. With a project spread out over multiple years the impact of any delays are minimized and the cost to the City can be significantly reduced and controlled. Phasing projects over multiple years can have benefits, but other factors such as funding, local impacts, and transportation impacts need to be considered when deciding if this approach is appropriate.

Mobility Mitigations

All work is being scheduled to minimize impacts on traffic as much as possible from the perspective of all road users. Construction schedules may vary due to weather and other factors, so it is important that Londoners stay alert and be prepared to adapt to changing conditions.

During construction, the public are advised to plan their travel in advance, consider alternate routes, be aware that street parking may be impacted, obey signage around work zones and be patient while traveling in and around work zones throughout the city. The City takes an active approach to coordinating construction to reduce prolonged disruption to local residents and the travelling public. Where possible, staff consider all the potential construction needs of a particular area and liaise with outside agencies such as the utility companies to coordinate their construction needs and plan how to complete the work together in stages or at the same time.

Pedestrian Impacts

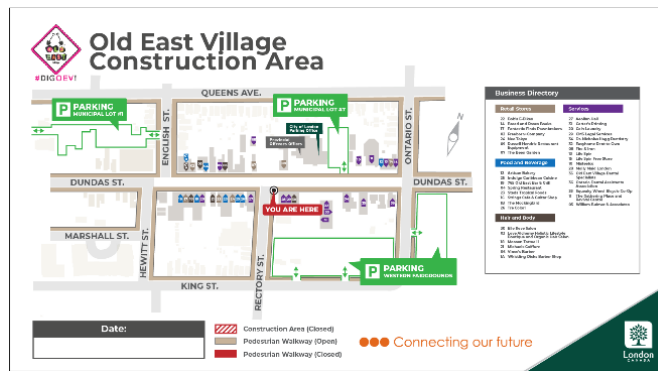
Accessibility around construction projects is a key consideration for all the City's construction activities. City contracts require that an accessible pathway through a construction site be maintained to the extent possible. When encountering certain project and site-specific constraints or disruptions, it is not always possible to continuously provide a safe and accessible route through a construction site. When construction activities require the temporary closure of an existing sidewalk for safety, the public will be notified of the disruption as per O. Reg. 191/11, Part IV.2, s. 80.48 (Accessibility for Ontarians with Disabilities Act, 2005, "AODA"). Where applicable, signage will be erected on site at either end of the work indicating that the sidewalk is closed. This will alert pedestrians to use an alternate route. While this alternate route may not always be most convenient way to reach a particular destination, it will ensure that the public is not entering into an unsafe situation.

Where possible, City projects include requirements to construct temporary hard surface sidewalks and, in some cases, temporary ramps to better facilitate accessible pedestrian movement. Navigational signage is also placed on site around large core area construction projects to support pedestrians and businesses.

2021 Core Construction projects such as Phase 2 of the Dundas Street (OEV) Infrastructure Renewal project and Phase 1 of the Downtown Loop on King Street included enhanced site security, improved lighting, additional signage, and enhanced walkways to improve public safety. These improvements for pedestrians were implemented to provide a more comfortable and secure construction environment for residents, businesses, and visitors.



Navigational signage used around the construction area



Pedestrian map to help navigate construction site – Old East Village

Cyclist Impacts

Cyclists are an important consideration when designing and planning all infrastructure projects. While many projects include building new bike lanes and improving existing bike infrastructure, construction sites themselves are potential hazards for cyclists. City’s bicycle routes should be safely accommodated through or around work zones. When possible, the City creates detour routes for cyclists, posts signage around construction, and shares notices, public service announcements and maps online about closures.



Traffic changes on Dundas Place to support safety and mobility for all during core construction – example of bike detour signs to help cyclists navigate construction safely



Navigational signage used around the construction area

Traffic Impacts

Congestion and disruption caused by public and private construction is disruptive to all road users. City staff manage programs to mitigate the impacts as much as possible by reviewing all projects from a traffic and construction detour impact perspective. Some projects will require road closures to complete the planned construction for the safety of

the contractor and the public, while others may only require lane restrictions. In any case, a detour to safely redirect traffic around the disturbed areas and permit the work to be completed in a timely manner will be implemented.

To optimize vehicle traffic flow in the areas affected by planned detours, the City may adjust traffic-signal timing, in addition to installing advance warning signage and optimizing apps such as Waze to recognize the closure. The City will have greater ability to adjust traffic signal operation as the Intelligent Traffic Signal project benefits are realized. As an effective and highly visible tool, more electronic Portable Variable Message Signs are being utilized throughout the city to provide drivers with current updates/detour routes digitally, on a larger screen.

Notwithstanding posted detour routes, increased traffic volumes are often observed on some neighbourhood streets near construction areas as drivers look for shortest routes around the closures. In some cases, temporary neighborhood traffic calming measures may be implemented to mitigate this behavior.

The City strives to minimize the disruption to the public during construction and maintain access to the maximum extent possible. Separating a construction project into stages to maintain use is often considered. However, it can often lengthen the duration of a project, creates challenges from a constructability and increased capital cost perspective. A balance needs to be established that satisfies both objectives. City staff believe this balance has been achieved with the 2021 Renew London construction Program.

Transit Impacts

City staff work closely with the London Transit Commission (“LTC”) to identify construction impacts affecting bus routes. LTC prepares and communicates detour routes as needed throughout construction projects. Several projects for 2022 will impact LTC routes, and these route changes will be listed on the Detours section of LTC’s website.

Access Mitigations

Pedestrian/Sidewalk Access

Maintaining sidewalk access throughout construction zones, especially in the core area, continues to be a challenge when sidewalk work is required. Contractors are asked to maintain clearly labelled pedestrian maps and signage in advance of pathway closures. Where necessary, crews also provide a temporary smooth surface of plywood, asphalt, or concrete within the sidewalk area for pedestrians.

AODA and Supports for People with Disabilities

There are many people in our community who due to age, infirmity, injury or other reasons are dealing with mobility challenges and for them a construction zone can present lots of unexpected terrain and obstacles. Strategies to support accessibility during construction include clearly marked pedestrian routes with large signage at eye level to support those using mobility devices and brightly coloured fencing to help those with low vision. All construction workers are required to have AODA training and are encouraged to keep an eye for anyone that may be struggling and give a little extra assistance.

Motor Vehicle Access

While maintaining road access is not possible in all construction zones, free parking is being offered through the recently approved Core Area Action Plan to incentivize drivers to continue to visit despite the removal of on-street parking in the work zone. The City will also assist visitors through the use of advance warning signs and the Waze app.

Temporary and Courtesy Park and Pick-Up Locations

To help support businesses during the COVID-19 pandemic and construction, the City added short-term parking spots throughout the downtown for customers and food delivery drivers when making quick food and parcel pickups. Temporary and courtesy park and pick-up locations will continue to be available throughout the 2022 construction season.

Receiving Deliveries

Local businesses rely on the delivery of goods to operate. Understanding this, temporary loading zones have been designated in advance and will be clearly marked for retailers, suppliers, and rideshare services. In exceptional circumstances, new loading areas may be negotiated and installed. Concierge services can also be made available to assist with large or complex deliveries.

Service Interruption Mitigations

Service interruptions can be extremely disruptive to businesses. Over the past few years, communication has been improved around planned service interruptions in the core area. Bi-weekly emails are sent to businesses from the project manager detailing what work has been completed, and what upcoming work is expected in the area. Tailored email notifications are also shared with impacted businesses at least 24 hours in advance of a service disruption, unless there is an emergency, in which case notice is provided as soon as possible.

Site Condition Mitigations

Cleanliness of Work Site

Clean work zones are an important factor to deliver on positive experiences during construction. Sidewalk and street sweeping, sharps management, cigarette butt disposal, periodic window-washing, garbage/recycling receptacles for the general public and waste pickup for those living and working in the area will be included in tenders where possible. Coordination at/near key destinations (city-wide) Major closures led by third parties at or near critical destinations, such as hospitals, schools, community and seniors' centres are critical to the community. Though internal training, increased efforts with regards to communication plans in these important locations. This includes increased oversight of third parties such as CN/CP Rail and utility groups.

Social Impacts

The City has continued to develop an understanding of the social challenges of working in a dense and urban environment. Daily deliveries, commercial and residential access, sidewalk access, and security are all important issues to consider when constructing projects in these environments. It is important for the project teams to stay nimble and flexible when it comes to how to implement and stage a project, while continuing to listen to the challenges that local businesses and residents face.

Security Enhancements

In 2021, there was a need for additional security on several projects, to keep City and Contractor property safe during inactive periods of the project. Several incidents on projects also required the involvement of security personnel on site during working hours to assist with the safety of workers. The projects teams have learned when to increase the security presence on site.

APPENDIX D – Communications & Customer Service Strategies

As London experiences larger and more complex construction projects, the City is prioritizing communications to ensure impacted businesses, residents, and property owners are informed before and during construction.

On a typical construction project, stakeholder outreach takes place before work begins to review and discuss potential impacts, such as property access and accessibility, collect contact information, solicit feedback, and share project details. Information gathered during these conversations is essential to shaping communications for each project.

To streamline communications between the City, impacted stakeholders, construction crews, and key private partners – such as London Transit and emergency services – a Construction Project Manager is assigned to each project. The Project Manager's contact information is shared before construction begins and members of the public are invited to connect with the Project Manager at any time during construction. This role is essential to ensure up-to-date information is always accessible, and to assist with construction inquiries and issues, manage Renew London updates, and keep Communications staff informed.

Anticipating exact impacts and unforeseen situations may be difficult due to the complexity and changing conditions for each project. However, Construction Project Managers work closely with Communications to ensure Londoners and impacted businesses and residents are informed about road closures, lane restrictions, sidewalk disruptions and other construction impacts that may arise. Key private partners and emergency services are kept informed on an ongoing basis through direct communications with Construction Project Managers, public service announcements, and the daily Renew London Road Report email.

Communications and Correspondence

While frequency of correspondence may differ depending on the project's location, scope, duration, and traffic and social impacts, the following communication methods may be used to inform Londoners who live, work, or own property in proximity to a City-led capital construction project:

Road construction projects

- Construction notice letter
- Direct communication with Construction Project Manager (email, phone, in-person)
- Advance warning and detour signage
- Updates on the Renew London website

Major construction projects

Any of the tactics above, plus:

- A minimum of three project update letters
- Project-specific web page on london.ca and/or getinvolved.london.ca
- Public engagement webinars and/or pre-recorded presentations
- Public update meetings (in-person prior to COVID-19)
- Public service announcements (PSAs sent to media and posted on london.ca/newsroom) media updates
- Email notifications and updates to project-specific email subscribers

Core Construction Projects

Any of the tactics above, plus:

- A Construction Business Relations Coordinator, whose primary focus is on supporting businesses through the construction process. Working closely with core area BIAs, the Business Relations Coordinator becomes a familiar face to impacted businesses through ongoing, in-person and virtual outreach, and ensures business concerns and questions are addressed by the project team. In previous construction seasons, this role was temporary. However, recognizing the value of this dedicated business support position, in 2022, this role was made permanent, and will be an ongoing resource for major construction projects moving forward.
- Ongoing communications and promotions with Downtown London and Old East Village BIA
- Custom wayfinding signage and navigation maps
- Collateral materials such as construction toolkits and contact cards
- Radio ads and social media advertising

Navigation

The City continuously promotes the use of the following tools to help Londoners navigate construction safely and efficiently whether they drive, bike, walk, or take transit:

- **Waze app:** Through an official partnership with Waze, City staff keep the app updated with the most current local road information.
- **Renew London interactive map:** By visiting london.ca/roadwork residents can search by street to learn if their commute will be impacted.
- **Honk app:** Through an official partnership with Honk, drivers can continue to find and pay for parking nearby during construction. This year, core area visitors can take advantage of two-hour complementary parking using the Honk app.
- **LTC's online trip planner:** City staff work alongside LTC to promote use of their trip planner and detour updates during construction.

Core Construction Program

The City of London has a vision to revitalize the Core Area as the cultural, civic, retail, and economic heart of London, and as a great place to live. Revitalization of the core area is essential to support city growth and mobility in the future. Not only are there several City-led projects planned in the core in 2022, but private development and private utility projects will continue as well.

Beginning in 2018 with the start of the Dundas Place construction, the City has supported major construction projects in the core with enhanced communications and opportunities for engagement. The Core Construction program supports area businesses and resident with additional resources such as a construction tool kit, enhanced wayfinding signage, small events, and marketing campaigns all using a consistent tagline "Connecting our future".

The City built the Downtown Loop Phase 1 on King Street to add a new bus-only lane between Ridout Street and Wellington Street, and completed the Dundas Street Infrastructure Renewal Project in Old East Village. Recognizing the impact construction has on the city's most dense urban area, the City will continue to create and support opportunities to engage with residents, businesses, and visitors during construction.

Enhanced communications and engagement will continue in 2022 to support construction in the core and surrounding areas. Key projects include the Downtown Loop Phase 2, East London Link Phase 1, Victoria Bridge Replacement, and Adelaide Underpass.

Community Relations

Based on lessons learned between 2020 and 2021, the City continues to build its formalized construction mitigation program in the core. This program provides enhanced resources and communications on core construction projects to:

- Provide a positive experience for visitors and locals
- Encourage movement in and around the construction zone
- Enable easy access to City services and staff
- Promote impacted areas and support businesses in partnership with the BIAs
- Prioritize and facilitate project information sharing
- Foster community collaboration where possible

Program elements can be identified by its tagline: Connecting our future.

 Connecting our future.

Measurement

To better understand the effectiveness of the core construction program, the City launched a post-construction survey in early 2022 targeted towards residents, businesses, and property owners in the core area.

The 2022 survey built on a previous survey that was issued after significant core construction in 2018 and 2019. The goal of the survey is to help the City understand stakeholders' top concerns and issues related to construction, in order to provide focused communication and construction mitigation efforts where they matter most.

This year, more than 90 impacted stakeholders responded to the survey, providing invaluable feedback to inform communications efforts on 2022 core construction and beyond.

The most effective and well received communications identified through the survey were:

- Email notifications
- Project web page
- Construction letters and notices
- Sidewalk signs
- Information from the BIA
- Conversations with City staff

The survey also identified the top five areas suggested for improvement:

- Pedestrian/sidewalk access
- Motor vehicle access
- Personal and property security
- On-street parking
- Receiving deliveries

City staff are using these survey results to refine the core construction program and are currently exploring ways to incorporate the feedback into other construction projects across London. Recognizing the value of stakeholder input on overall communications efforts, the team intends to continue soliciting feedback through a Core Construction survey at the end of each construction season.

Accomplishments

Public Engagement (city wide)

In 2020, the City launched an improved public engagement website – Get Involved. This platform continues to be the main online space for residents to provide comments, questions, and feedback on different projects across London. The improvements made to the Get Involved website more interactive to allow new and different types of digital engagement opportunities, and the website has been used to host information about multiple construction projects.

One of the many impacts of the COVID-19 pandemic involves public engagement and communication with Londoners regarding important City projects. As in-person opportunities to meet with residents and businesses were affected in 2020 and 2021 by COVID-19, these improvements to Get Involved have allowed the City to share construction information online differently using recorded presentations, live video webinars, and online Q&A's.

It is recognized that not all Londoners are able to access project information online. Project teams also offered a variety of other options and accommodations to ensure that everybody was able to receive this information. This included mailed letters, phone conversations, and printed construction information delivered to residents and businesses.

Business Relations Manager

To streamline communications between the City, construction crews and businesses, a permanent Construction Business Relations Manager role has been created to support core area projects. This role was originally created as a temporary position during Dundas Place and core-area construction in 2018, but has been consistently identified by businesses as an essential one-on-one support. Through this position, businesses have a dedicated resource to assist with high-priority issues like access to their stores and parking, and a trusted conduit who is responsible for sharing – and addressing – their feedback with the project team.

Email Notifications and bi-weekly updates (core area)

All core construction projects provide the added benefit of direct email notifications to residents, business and property owners who choose to subscribe. Through this channel, the Construction Administration team has been able to provide advance notification about service interruptions, work occurring near properties, and major site changes. This method of communication also achieved an above-average open rate of 43% and was identified as the most effective communication tactic in the post-construction survey.

Construction Letters and Notices (city-wide)

To equip residents with more accessible, easy-to-read project information, the City of London has made all its construction letters AODA compliant with the goal of improving readability for all. Additional improvements include a reorganization of content where necessary and making information about project impacts, timelines, and options to stay informed more prominent.

Wayfinding signage (core area)

In 2021, improved construction pedestrian signage was used to help label accessible routes within core construction zones. These additions were received positively by residents and businesses, and they will be applied to 2022's core area projects. When possible, signage will be installed in advance of sidewalk closures and temporary narrow or uneven surfaces. Regularly updated, clearly labeled pedestrian navigation maps will also be produced and posted where applicable. All signs will be carefully

designed to clearly state the specific impact without dissuading people from travelling through the area(s) leading up to the closure.

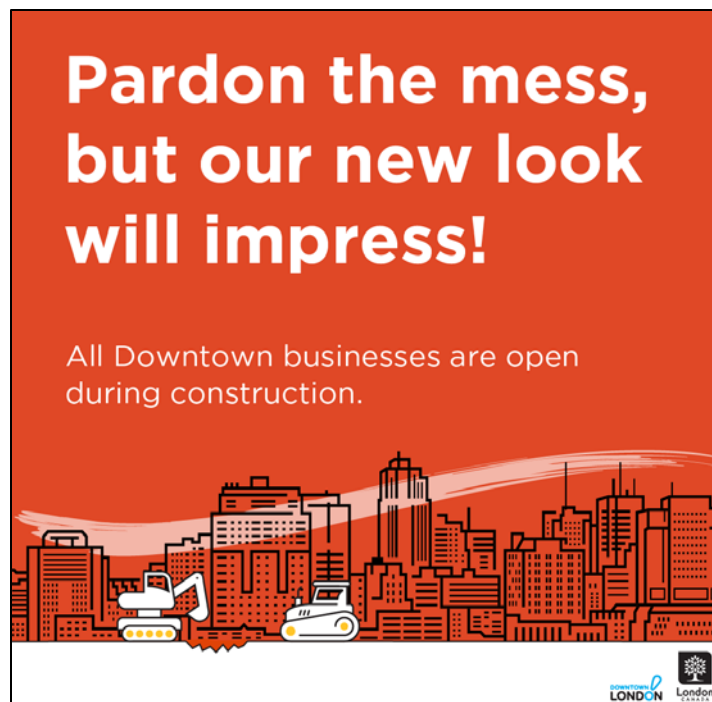
Last year, the City and Downtown London partnered on multiple signage initiatives in the core area to offer some “surprise and delight” within construction zones. Song-themed signs with construction puns garnered a great deal of social media attention, earning thousands of impressions online and drawing more attention to the downtown core during construction. In Old East Village, the City partnered with the BIA to create enhanced wayfinding signage to promote access to nearby businesses. Moving forward, the City will continue to work with BIAs & community members to exercise creativity through signage and other methods.



A navigational sign showing a safe pedestrian route at the intersection of King Street and Clarence Street.



A sign downtown promoting that businesses are open and showing a safe route for visitors to reach nearby businesses



A series of signs and social media graphics created in partnership with Downtown London to promote businesses using construction themed puns.



A navigational sign indicating access to properties in Old East Village.

Promotion of the Core during Construction (core area)

Promoting the core with the help of Downtown London and the Old East Village BIA will continue in 2022. Similar to last year, radio, billboards, social media, and other advertising will be used to communicate construction impacts and support businesses.

Radio advertising in partnership with the Downtown London and Old East Village BIA helped explain what the construction projects were accomplishing and promoted how visitors can reach the core during construction.

A promotional video was filmed in partnership with Downtown London featuring businesses and the area during construction.

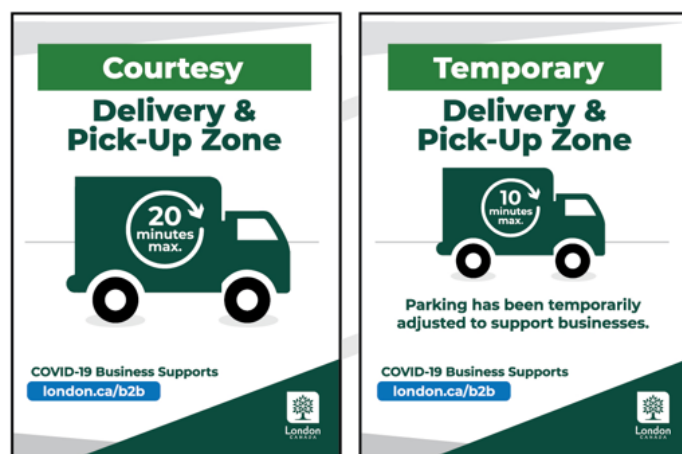
Construction Dollars as part of the Core Area Action Plan were distributed to customers in the form of contest prizes, promotions, and giveaways through the BIAs and their businesses. In total, \$72,270 Construction Dollars were spent at businesses in Old East Village and Downtown in 2021. The Construction Dollars program will continue through 2022 to support businesses impacted by construction in the core area. Similar to last year, Construction Dollars will be distributed by the BIAs through contests, events and other initiatives.

New this year, Core Area Ambassadors will hand out Construction Dollars to help alleviate any inconveniences that visitors may experience, such as lack of on-street parking, due to construction.

Parking promotions for customers will continue to be coordinated for 2022. Last year, discount codes for free parking were offered using the Honk app, and temporary park and pick-up locations were made available for customers and delivery drivers.



A construction worker holding a quilt for a social media campaign promoting a local business.



Courtesy and temporary park and pick-up signs

Report to Civic Works Committee

To: Chair and Members
Civic Works Committee

From: Kelly Scherr, P.Eng., MBA, FEC
Deputy City Manager, Environment & Infrastructure

Subject: Contract Price Increase: 2021 Transportation Infrastructure
Renewal Report

Date: March 29, 2022

Recommendation

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions **BE TAKEN** for the noted three projects; 2020 Arterial Road Rehabilitation Project Contract 2, 2021 Fanshawe Park Road Boulevard Cycling lanes Rehabilitation, and the 2021 Dundas Thames Valley Parkway (TVP) Active Transportation Connection;

- a) the 2020 Arterial Road Rehabilitation Project Contract 2 (Tender T20-100) contract value with Coco Paving Inc (Coco) **BE INCREASED** by \$470,000.00 to \$3,038,000.00 (excluding HST), in accordance with Section 20.3 (e) of the Procurement of Goods and Services Policy;
- b) the Fanshawe Park Road Boulevard Cycling lanes Rehabilitation Contract (Tender RFT21-83) contract value with Dufferin Construction Company, A division of CRH Canada Group Inc., **BE INCREASED** by \$250,000.00 to \$1,735,102.20 (excluding HST), in accordance with Section 20.3 (e) of the Procurement of Goods and Services Policy;
- c) the contract with IBI Group Professional Services (Canada) Inc. for construction inspection and contract administration for the Dundas Street Thames Valley Parkway Active Transportation Connection Project **BE INCREASED** by \$91,800.00 to \$414,990.00 (excluding HST) in accordance with Section 20.3 (e) of the Procurement of Goods and Services Policy;
- d) the financing for these projects **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix 'A', 'B', 'C', respectively.
- e) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project; and,
- f) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

Executive Summary

The Renew London Infrastructure Construction Program manages the sustainability of city infrastructure through a combination of road, bridge, bicycle, sewer, water, sidewalk and intersection improvements. The program addresses existing lifecycle needs, system improvements, and growth-related priorities.

Three 2021 transportation infrastructure renewal projects require a contract value amendment. The City's Procurement of Goods and Services Policy requires Council approval for these amendments.

Linkage to the Corporate Strategic Plan

The following report supports the 2019–2023 Strategic Plan through the strategic focus areas of Building a Sustainable City, Growing Our Economy and Leading in Customer Service by helping to manage the infrastructure gap and enhancing safety for all road users while creating an efficient, inclusive, and connected active transportation network with a complete street's lens and a focus on climate change mitigation and adaptation.

Renew London is committed to delivering excellent customer service and providing great customer experiences to residents, businesses, and visitors by communicating projects in advance and coordinating all work to help build and deliver efficient infrastructure and minimize delays and inconveniences to the public during construction.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

All three projects qualified for administrative contracts award per delegated authority.

2.0 Discussion and Considerations

The construction industry is experiencing a period of considerable change with new requirements, legislations, market factors and added complications due to pandemic-related challenges including supply chain disruptions and labour pressures. The complexity of transportation projects has also been increasing in recent years with servicing partners seeking to align multiple renewal needs, utility coordination and integration of complete street elements also contributing to budget and schedule pressures.

Renew London managed approximately \$100 million in infrastructure construction project work in 2021. With an annual construction program of this scale, there can be projects that encounter larger budget impacts due to unforeseen challenges not anticipated by the contractor, consultant, or the City. For the 2021 program, three transportation infrastructure renewal projects require an amendment to the contract award.

2.1 RFT20-100 – 2020 Arterial Road Rehabilitation Project Contract 2

The 2020 Arterial Road Rehabilitation Project Contract 2 construction contract (Colborne Street) requires amendments due to locate delays, unforeseen conditions, additional required infrastructure improvement work and an extended construction schedule.

The Colborne Street project, from Dufferin Avenue to approximately 60 meters north of Oxford Street East, provides pavement and signal renewal combined with over a kilometer of active transportation infrastructure to make cycling more accessible for cyclists of all ages and abilities. The new protected lanes extend the previous phase (Colborne Street between Horton Street and Dufferin Avenue) and connect areas north of Oxford Street with Dundas Street, the core, and nearby schools.

The project timeline originally planned to be completed in November 2020 with minor restoration and finishing touches in 2021. The City faced significant challenges in 2020 from the COVID-19 pandemic, from the global supply chain for products and materials to the availability of trades personnel. The following factors contributed to the exceedance of the contract value for this project.

Utility Locates: Locate services in London and throughout Ontario have been significantly impacted by labour shortages, an issue that was exacerbated by the pandemic. The contractor's inability to obtain utility locates in a timely manner delayed the project by about 8 weeks in 2020 leading to the decision to extend the project schedule over two construction seasons to avoid late season construction cost and quality concerns. To compound the situation, the contractor's inability to get utility locates again in 2021 delayed the Year 2 start another 6 weeks.

Two Construction Seasons: Spreading the project schedule over two years created additional cost impacts including extra traffic control signage and mobilization, the need to install temporary asphalt to stabilize the site over winter, and duplicated tree protection fencing. The deferral of paving to 2021 also resulted in an Asphalt Cement (AC) Index charge to the project.

Enwave Impacts: The Enwave high-pressure steam main running north/south under the road within the limits of the project experienced chronic maintenance issues with the main line and maintenance holes that required immediate attention impairing the contractor's ability to perform work in a regimented manner as the constructor for this project. New frames and grates were also required to be installed on the maintenance holes as an added cost to the City's contract. While this cost will be fully recovered from Enwave, it must be paid by the City prior to recovery.

Added Scope: Necessary infrastructure renewal work not identified in the tender was incorporated during construction as it is more cost-effective to implement these contract changes while the contractor is engaged at competitive unit prices. The project discovered underground infrastructure structures in need of repair. Limited survey and existing conditions information resulted in tender quantity item increases not identified during the preparation of the design and contract drawings. Non-typical supplies and specialized sub-trades took additional time to secure, coordinate and install mobility components, which were important for safety reasons.

This project was challenging to deliver and required extra effort to communicate updates to the public, transit and cycling community. Despite these challenges, City staff and contractor were able to complete the project in November 2021. As the construction work needed to proceed in an expeditious manner to avoid further carryover work to 2022, it was not possible to seek an earlier approval for this contract amendment. The additional costs were thoroughly reviewed as the work progressed, contract unit prices have been applied where possible and other negotiated items are considered to be reasonable and consistent with other city projects.

A contract increase is to address the above budget pressures and additional infrastructure not identified in the tender. No additional funds are requested to cover additional engineering, site supervision and contract administration costs as this was an in-house engineering project using City staff. The contractor, Coco Paving, worked cooperatively with the team considering the extended project duration and through unanticipated conditions.

2.2 RFT21-83 – Fanshawe Park Road Boulevard Cycling Lanes Rehabilitation

The 2021 Fanshawe Park Road Boulevard Cycling Lanes Rehabilitation construction contract requires an amendment due to locate delays, unforeseen conditions, additional required infrastructure improvement work and an extended construction schedule.

This project is rehabilitating and improving the existing boulevard cycling lanes on Fanshawe Park Road between Wonderland Road and Adelaide Street. It includes

accessibility measures to support AODA requirements and improves waiting areas at bus stops.

The contract increase is required to address additional infrastructure renewal work for traffic signals and pavement that was not identified in the tender and is cost-effective to implement while the contractor is engaged at competitive unit prices. No additional funds are requested to cover additional engineering, site supervision and contract administration costs as this was an in-house engineering project using City staff. The contractor, Dufferin Construction, worked cooperatively with the team to address delays and changes to scope.

2.3 Consultant Assignment: Dundas Street Thames Valley Parkway (TVP) Active Transportation Connection

The Dundas TVP Active Transportation Connection contract is a consultant assignment that requires an amendment due to extra supervision costs to manage an extended construction schedule.

The second phase of the Dundas Street-TVP Connection was completed in 2021. The location is along Dundas Street from the west end of the Kensington Bridge to the intersection of Ridout and Dundas Streets and included a portion of Harris Park Gate. The scope included introduction of new bike lanes, pedestrian walkways, new street and traffic lights and underground infrastructure renewal. The project creates a new, two-way protected bike lane on Dundas Street. The Dundas Street-TVP Connection is designed to improve the link for pedestrians and cyclists between the [Thames Valley Parkway](#) (TVP), the Forks of the Thames River and Downtown.

The project was scheduled to be completed by July 31, 2021, however, didn't reach substantial completion until December 17, 2021. The schedule extension is the result of a combination of contractor delays and unforeseeable circumstances.

The City is currently working with the consultant and contractor to determine a fair and appropriate value of liquidated damages that the City will collect from the construction contractor. These liquidated damages will partially address the costs of this change. The remainder will be addressed by unspent funds within the project budget.

3.0 Financial Impact/Considerations

2020 Arterial Road Rehabilitation Project Contract 2

An additional \$470,000.00 is requested for the contract with Coco Paving to cover the additional costs which were required to complete this important infrastructure project.

Fanshawe Park Road Boulevard Cycling Lanes Rehabilitation

An additional \$250,000.00 is requested for the contract with Dufferin Construction Company, A division of CRH Canada Group Inc. (Dufferin), to cover the additional costs which are required to complete this important infrastructure project.

Dundas Street Thames Valley Parkway Active Transportation Connection

An additional \$91,800.00 is requested for the contract with IBI Group Professional Services (Canada) Inc. to cover additional coordination site supervision costs as this project has extended well beyond the originally contemplated timeframe. It is anticipated that the increased consulting costs will be at least partially offset using liquidated damages from the contractor.

This funding is available in the approved transportation capital budgets per the Sources of Financing attached as Appendices A, B and C.

Conclusion

In accordance with Section 20.3 (e) of the Procurement of Goods and Services Policy, it is recommended that the contract value limit be amended for three transportation infrastructure renewal projects. These projects require additional funds primarily associated with added required infrastructure improvements and schedule challenges.

City staff continue to monitor industry trends and actively develop measures to minimize risks, disruptions and financial pressures during the pandemic including utility locates, construction cost escalation, industry-wide labour shortages and supply chain issues. Additionally, applying the lessons-learned to design phases of future projects to mitigate the risks is an important part of the continuous improvement loop in place for infrastructure programs. This is particularly true for the evolving design of cycling infrastructure and is being assisted by the utilization of new dedicated staff resources that have been added recently.

Prepared by: **Ugo DeCandido, P.Eng., Division Manager, Construction Administration**

Submitted by: **Jennie Dann, P.Eng., Director, Construction and Infrastructure Services**

Recommended by: **Kelly Scherr, P. Eng., MBA, FEC, Deputy City Manager, Environment and Infrastructure**

Attach: Appendix 'A' – Sources of Financing, 2020 Arterial Road Rehabilitation Project Contract 2 (RFT20-100)
Appendix 'B' – Sources of Financing, Fanshawe Park Road Boulevard Cycling lanes Rehabilitation Contract (RFT21-83)
Appendix 'C' - Sources of Financing, contract for construction inspection and contract administration for the Dundas Street Thames Valley Parkway Active Transportation Connection Project

cc: Daniel Hall, Program Manager, Active Transportation
Doug MacRae, Director, Transportation & Mobility
Garfield Dales, Division Manager, Transportation Engineering
Gary McDonald, Budget Analyst, Finance & Corporate Services
Paul Choma, Construction Administration Engineer, Construction Engineering

Appendix "A"

#22010

March 29, 2022

(Contract Increase)

Chair and Members

Civic Works Committee

RE: T20 -100 Contract Price Increase: Arterial Road Rehabilitation Project

(Subledger RD200002)

Capital Project TS144620 - Road Network Improvements (Main)

Capital Project TS173919 - Cycling Facilities

Capital Project TS406719 - Traffic Signals - Maintenance

Coco Paving Inc. - \$470,000.00 (excluding HST)

Finance Supports Report on the Sources of Financing:

Finance Supports confirms that the cost of this project can be accommodated within the financing available for it in the Capital Budget and that, subject to the approval of the Deputy City Manager, Environment and Infrastructure, the detailed source of financing is:

Estimated Expenditures	Approved Budget	Committed To This Date	This Submission	Balance for Future Work
TS144620 - Road Network Improvements (Main)				
Consulting	1,003,555	993,470	0	10,085
Construction	12,425,388	6,983,433	325,632	5,116,323
City Related Expenses	39,235	39,235	0	0
TS144620 Total	13,468,178	8,016,138	325,632	5,126,408
TS173919 - Cycling Facilities				
Engineering	1,083,252	986,393	0	96,859
Construction	9,657,338	6,686,786	122,112	2,848,440
City Related Expenses	9,938	9,891	0	47
TS173919 Total	10,750,528	7,683,070	122,112	2,945,346
TS406719 - Traffic Signals - Maintenance				
Engineering	139,711	139,711	0	0
Construction	1,430,453	1,348,531	30,528	51,394
Traffic Signals	2,078,187	1,989,071	0	89,116
TS406719 Total	3,648,351	3,477,313	30,528	140,510
Total Expenditures	\$27,867,057	\$19,176,521	\$478,272	\$8,212,264

Sources of Financing

TS144620 - Road Network Improvements (Main)

Capital Levy	435,918	435,918	0	0
Debenture By-law No. W.-5680-51	881,238	0	0	881,238
Drawdown from Capital Infrastructure Gap Reserve Fund	2,482,720	0	0	2,482,720
Canada Community-Building Fund	9,613,695	7,525,613	325,632	1,762,450
Other Contributions	54,607	54,607	0	0
TS144620 Total	13,468,178	8,016,138	325,632	5,126,408

Appendix "A"

#22010

March 29, 2022
(Contract Increase)

Chair and Members
Civic Works Committee

RE: T20 -100 Contract Price Increase: Arterial Road Rehabilitation Project
(Subledger RD200002)

Capital Project TS144620 - Road Network Improvements (Main)

Capital Project TS173919 - Cycling Facilities

Capital Project TS406719 - Traffic Signals - Maintenance

Coco Paving Inc. - \$470,000.00 (excluding HST)

TS173919 - Cycling Facilities

Capital Levy	391,425	391,425	0	0
Debenture By-law No. W.-5654-291 (note 3)	4,951,602	3,411,371	61,315	1,478,916
Drawdown from City Services - Roads Reserve Fund (Development Charges) (note 1)	5,352,477	3,825,250	60,797	1,466,430
Other Contributions	55,024	55,024	0	0
TS173919 Total	10,750,528	7,683,070	122,112	2,945,346

TS406719 - Traffic Signals - Maintenance

Capital Levy	3,643,169	3,472,131	30,528	140,510
Other Contributions	5,182	5,182	0	0
TS406719 Total	3,648,351	3,477,313	30,528	140,510

Total Financing	\$27,867,057	\$19,176,521	\$478,272	\$8,212,264
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Financial Note:	TS144620	TS173919	TS406719	Total
Contract Increase	\$320,000	\$120,000	\$30,000	\$470,000
Add: HST @13%	41,600	15,600	3,900	61,100
Total Contract Increase Including Taxes	361,600	135,600	33,900	531,100
Less: HST Rebate	-35,968	-13,488	-3,372	-52,828
Net Contract Increase	\$325,632	\$122,112	\$30,528	\$478,272

Note 1: Development charges have been utilized in accordance with the underlying legislation and the approved 2019 Development Charges Background Study and the 2021 Development Charges Background Study Update.

Note 2: The initial award of this contract for \$2,568,000 was completed through Administrative Approval of Tender Acceptance/ Contract Award process in the Sources of Financing #20116.

Note 3: Note to City Clerks: The City Clerk be authorized to increase Debenture By-law No. W.-5654-291 by \$1,336,938 from \$3,614,664 to \$4,951,602.

Jason Davies
Manager of Financial Planning & Policy

HB

Appendix "B"

#22030

March 29, 2022

(Contract Increase)

Chair and Members
Civic Works Committee

RE: RFT21-83 Contract Price Increase: Fanshawe Park Road Boulevard Cycling Lanes Rehabilitation
(Subledger RD210013)
Capital Project TS173919 - Active Transportation (2019-2023)
Dufferin Construction Company, A division of CRH Canada Group Inc. - \$250,000.00 (excluding HST)

Finance Supports Report on the Sources of Financing:

Finance Supports confirms that the cost of this project can be accommodated within the financing available for it in the Capital Budget and that, subject to the approval of the recommendation of the Deputy City Manager, Environment and Infrastructure, the detailed source of financing is:

Estimated Expenditures	Approved Budget	Committed To This Date	This Submission	Balance for Future Work
Engineering	1,083,252	986,393	0	96,859
Construction	9,657,338	6,808,898	254,400	2,594,040
City Related Expenses	9,938	9,891	0	47
Total Expenditures	\$10,750,528	\$7,805,182	\$254,400	\$2,690,946
Sources of Financing				
Capital Levy	391,425	391,425	0	0
Debenture By-law No. W.-5654-291	4,951,602	3,472,686	127,739	1,351,177
Drawdown from City Services - Roads Reserve Fund (Development Charges) (note 1)	5,352,477	3,886,047	126,661	1,339,769
Other Contributions	55,024	55,024	0	0
Total Financing	\$10,750,528	\$7,805,182	\$254,400	\$2,690,946

Financial Note:

Contract Increase	\$250,000
Add: HST @13%	32,500
Total Contract Increase Including Taxes	282,500
Less: HST Rebate	-28,100
Net Contract Increase	\$254,400

Note 1: Development charges have been utilized in accordance with the underlying legislation and the approved 2019 Development Charges Background Study and the 2021 Development Charges Background Study Update.

Note 2: The initial award of this contract for \$1,485,102 was completed through Administrative Approval of Tender Acceptance/ Contract Award process in the Sources of Financing #21127.

Jason Davies
Manager of Financial Planning & Policy

HB

Appendix "C"

#22031

March 29, 2022
(Contract Increase)

Chair and Members
Civic Works Committee

RE: RFP 19-49 Contract Price Increase: Dundas Street Thames Valley Parkway Active Transportation Connection Project
(Subledger RD190019)
Capital Project TS1748 - Dundas Place - TVP Active Transportation Connection
IBI Group Professional Services (Canada) Inc. - \$91,800.00 (excluding HST)

Finance Supports Report on the Sources of Financing:

Finance Supports confirms that the cost of this project can be accommodated within the financing available for it in the Capital Budget and that, subject to the approval of the recommendation of the Deputy City Manager, Environment and Infrastructure, the detailed source of financing is:

Estimated Expenditures	Approved Budget	Committed To This Date	This Submission	Balance for Future Work
Engineering	599,851	599,851	0	0
Construction	3,397,385	2,999,845	93,416	304,124
City Related Expenses	2,764	2,764	0	0
Total Expenditures	\$4,000,000	\$3,602,460	\$93,416	\$304,124

Sources of Financing

Debenture By-law No. W.-5656-14	1,068,001	961,858	24,942	81,201
Public Transit Infrastructure Stream (PTIS) - Federal Funding	1,600,000	1,440,984	37,366	121,650
Public Transit Infrastructure Stream (PTIS) - Provincial Funding	1,331,999	1,199,618	31,108	101,273
Total Financing	\$4,000,000	\$3,602,460	\$93,416	\$304,124

Financial Note:

Contract Increase	\$91,800
Add: HST @13%	11,934
Total Contract Increase Including Taxes	103,734
Less: HST Rebate	-10,318
Net Contract Increase	\$93,416

Note 1: The initial award of this contract for \$323,190 was sent to Civic Works Committee (July 14, 2020) in the Sources of Financing #20102.

Jason Davies
Manager of Financial Planning & Policy

HB

Report to Civic Works Committee

To: Chair and Members
Civic Works Committee

From: Kelly Scherr, P.Eng., MBA, FEC
Deputy City Manager, Environment & Infrastructure

Subject: Contract Price Increase: 2021 Water / Wastewater
Infrastructure Renewal Report

Date: March 29, 2022

Recommendation

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions **BE TAKEN** with respect to the English Street and Lorne Avenue Reconstruction project:

- a) Lorne Avenue Reconstruction (Tender T21-16) contract value with 2376378 Ontario Corp (CH Excavating (2013)) **BE INCREASED** by \$675,000.00 to \$4,448,382.95 (excluding HST) in accordance with Section 20.3 (e) of the Procurement of Goods and Services Policy;
- b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix 'A';
- c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project; and,
- d) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

Executive Summary

The Renew London Infrastructure Construction Program manages the sustainability of city infrastructure through a combination of road, bridge, bicycle, sewer, water, sidewalk and intersection improvements. The program addresses existing lifecycle needs, system improvements, and growth-related priorities.

The English Street and Lorne Avenue Reconstruction contract requires an amendment due to additional groundwater found on English Street. The City's Procurement of Goods and Services Policy requires Council approval for this amendment.

Linkage to the Corporate Strategic Plan

The following report supports the Strategic Plan through the strategic focus areas of Building a Sustainable City, Growing Our Economy and Leading in Public Service by helping to manage the infrastructure gap, improving our water, wastewater and stormwater infrastructure and services, and enhancing safety for all road users.

Renew London is committed to delivering excellent customer service and providing great customer experiences to residents, businesses, and visitors by communicating projects in advance and coordinating all work to help build and deliver efficient infrastructure and minimize delays and inconveniences to the public during construction.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Civic Works Committee – March 30, 2021 – Contract Award: Tender RFT21-16 – 2021 Infrastructure Renewal Program – English Street and Lorne Avenue Reconstruction

2.0 Discussion and Considerations

2.1 Discussion

In April 2021 the City began construction on English Street and Lorne Street to replace sewers and watermain, along with surface works including sidewalk, curb, and asphalt replacement. Original hydrogeological studies completed in advance of construction indicated that the amount of underground water that needed to be removed from the necessary excavations, a process referred to as dewatering, was minimal.

In July 2021, after attempting to dewater the excavations it became apparent to the project team that the volume of underground water was in excess of what was permitted (water takings in Ontario are governed by the *Ontario Water Resources Act (OWRA)*). By law, a permit is required in order to take 50,000+ litres of water in a day from the environment). Further testing was completed and the City is now in the process of receiving a revised permit from the Ministry.

The work was postponed in order for the project team to develop an appropriate dewatering plan to complete this project. It was determined by our hydrogeological sub-consultant (EXP Services Inc.) that an entirely different methodology of dewatering would be required to address the large volumes of water found on site. The initial permit to take water allowed for 400,000 L/day, and a new estimate for of necessary dewatering rates is 8,900,000 L/day. This large discrepancy is due to the methodology that was used to build the original sewer. Sub-drains are present along either side of the existing sewer, essentially draining water from a significant area into the new excavations. Because these sub-drains were not included in the record drawings from 1897 it was not possible to identify the existence of these existing sub-drains prior to the start of construction.

It has been determined that this new methodology to manage dewatering will require additional funds in excess of the project contingency of \$375,000. The contractor, CH Excavating, demonstrated resilience in efforts to address the ground water issue and has worked cooperatively with the team to confirm the methodology to complete the work in 2022.

3.0 Financial Impact/Considerations

English Street and Lorne Avenue Reconstruction Contract

An additional \$675,000.00 is required to cover the additional costs for dewatering the site and to complete the remaining work in 2022. This funding is available in the approved water, sanitary, and stormwater capital budgets per the Source of Financing attached as Appendix A.

Conclusion

In accordance with Section 20.3 (e) of the Procurement of Goods and Services Policy, it is recommended that the contract value be amended for English Street and Lorne Avenue Reconstruction. The project requires additional funds to address unforeseen dewatering costs.

Prepared by: Ugo DeCandido, P.Eng., Division Manager,
Construction Administration

Submitted by: Jennie Dann, P.Eng., Director, Construction
and Infrastructure Services

Recommended by: Kelly Scherr, P. Eng., MBA, FEC, Deputy
City Manager, Environment and
Infrastructure

Attach: Appendix 'A' – Sources of Financing, English Street and Lorne Avenue
Reconstruction (RFT21-16)

cc: Aaron Rozental, Division Manager, Water Engineering
Ashley Rammeloo, Division Manager, Sewer Engineering
Garfield Dales, Division Manager, Transportation Engineering
Gary McDonald, Budget Analyst, Finance & Corporate Services

Appendix "A"

#22036

March 29, 2022
(Contract Increase)

Chair and Members
Civic Works Committee

RE: RFT21-16 Contract Price Increase: English Street and Lorne Avenue Reconstruction
(Subledger WS21C00A)

Capital Project ES241421 - Infrastructure Renewal Program - Sanitary Sewers

Capital Project ES254021 - Infrastructure Renewal Program - Stormwater Sewers and Treatment

Capital Project ES254022 - Infrastructure Renewal Program - Stormwater Sewers and Treatment

Capital Project EW376521 - Infrastructure Renewal Program - Watermains

2376378 Ontario Corp (CH Excavating (2013)) - \$675,000.00 (excluding HST)

Finance Supports Report on the Sources of Financing:

Finance Supports confirms that the cost of this project can be accommodated within the financing available for it in the Capital Budget and that, subject to the approval of the Deputy City Manager, Environment and Infrastructure, the detailed source of financing is:

Estimated Expenditures	Approved Budget	Revised Budget	Committed To This Date	This Submission	Balance for Future Work
ES241421 - Infrastructure Renewal Program - Sanitary Sewers					
Engineering	2,000,000	2,000,000	1,794,423	0	205,577
Construction	16,994,026	16,994,026	13,412,158	279,840	3,302,028
Construction (Utilities Share)	116,098	141,098	116,098	25,000	0
City Related Expenses	25,000	25,000	7,612	0	17,388
ES241421 Total	19,135,124	19,160,124	15,330,291	304,840	3,524,993
ES254021 - Infrastructure Renewal Program - Stormwater Sewers and Treatment					
Engineering	1,474,352	1,474,352	1,474,352	0	0
Land Acquisition	210,537	210,537	210,537	0	0
Construction	9,163,448	9,163,448	8,971,688	191,760	0
City Related Expenses	5,594	5,594	5,594	0	0
ES254021 Total	10,853,931	10,853,931	10,662,171	191,760	0
ES254022 - Infrastructure Renewal Program - Stormwater Sewers and Treatment					
Engineering	2,000,000	2,000,000	148,176	0	1,851,824
Construction	10,334,529	10,334,529	4,417,156	88,080	5,829,293
City Related Expenses	100,000	100,000	0	0	100,000
ES254022 Total	12,434,529	12,434,529	4,565,332	88,080	7,781,117
EW376521 - Infrastructure Renewal Program - Watermains					
Engineering	2,006,265	2,006,265	1,613,579	0	392,686
Construction	13,938,455	13,938,455	13,836,695	101,760	0
City Related Expenses	249,241	249,241	249,241	0	0
EW376521 Total	16,193,961	16,193,961	15,699,515	101,760	392,686
Total Expenditures	\$58,617,545	\$58,642,545	\$46,257,309	\$686,440	\$11,698,796

Sources of Financing

ES241421 - Infrastructure Renewal Program - Sanitary Sewers					
Capital Sewer Rates	11,282,518	11,282,518	11,282,518	0	0
Drawdown from Sewage Works Renewal Reserve Fund	5,486,508	5,486,508	1,681,675	279,840	3,524,993
Canada Community - Building Fund	2,250,000	2,250,000	2,250,000	0	0
Other Contributions (note 1)	116,098	141,098	116,098	25,000	0
ES241421 Total	19,135,124	19,160,124	15,330,291	304,840	3,524,993
ES254021 - Infrastructure Renewal Program - Stormwater Sewers and Treatment					
Capital Sewer Rates	820,480	820,480	820,480	0	0
Drawdown from Sewage Works Renewal Reserve Fund	7,731,956	7,731,956	7,540,196	191,760	0
Canada Community-Building Fund	2,250,000	2,250,000	2,250,000	0	0
Other Contributions	51,495	51,495	51,495	0	0
ES254021 Total	10,853,931	10,853,931	10,662,171	191,760	0

Appendix "A"

#22036

March 29, 2022
(Contract Increase)

Chair and Members
Civic Works Committee

RE: RFT21-16 Contract Price Increase: English Street and Lorne Avenue Reconstruction
(Subledger WS21C00A)

Capital Project ES241421 - Infrastructure Renewal Program - Sanitary Sewers

Capital Project ES254021 - Infrastructure Renewal Program - Stormwater Sewers and Treatment

Capital Project ES254022 - Infrastructure Renewal Program - Stormwater Sewers and Treatment

Capital Project EW376521 - Infrastructure Renewal Program - Watermains

2376378 Ontario Corp (CH Excavating (2013)) - \$675,000.00 (excluding HST)

ES254022 - Infrastructure Renewal Program - Stormwater Sewers and Treatment	Approved Budget	Revised Budget	Committed To This Date	This Submission	Balance for Future Work
Capital Sewer Rates	1,269,668	1,269,668	1,269,668	0	0
Drawdown from Sewage Works Renewal Reserve Fund	8,914,861	8,914,861	1,045,664	88,080	7,781,117
Canada Community-Building Fund	2,250,000	2,250,000	2,250,000	0	0
ES254022 Total	12,434,529	12,434,529	4,565,332	88,080	7,781,117
EW376521 - Infrastructure Renewal Program - Watermains					
Capital Water Rates	11,672,800	11,672,800	11,672,800	0	0
Drawdown from Water Works Renewal Reserve Fund	3,910,610	3,910,610	3,416,164	101,760	392,686
Canada Community-Building Fund	601,017	601,017	601,017	0	0
Other Contributions	9,534	9,534	9,534	0	0
EW376521 Total	16,193,961	16,193,961	15,699,515	101,760	392,686
Total Financing	\$58,617,545	\$58,642,545	\$46,257,309	\$686,440	\$11,698,796

Financial Note:	ES241421	ES254021	ES254022	EW376521	London Hydro
Contract Increase	\$275,000	\$188,443	\$86,557	\$100,000	\$25,000
Add: HST @13%	35,750	24,498	11,252	13,000	3,250
Total Contract Increase Including Taxes	310,750	212,941	97,809	113,000	28,250
Less: HST Rebate	-30,910	-21,181	-9,729	-11,240	-3,250
Net Contract Increase	\$279,840	\$191,760	\$88,080	\$101,760	\$25,000

	Total
Contract Increase	\$675,000
Add: HST @13%	87,750
Total Contract Increase Including Taxes	762,750
Less: HST Rebate	-76,310
Net Contract Increase	\$686,440

Note 1: London Hydro has confirmed its contribution towards this project. The expenditures have increased to accommodate their contributions.

Note 2: The initial award of this contract for \$3,773,382.95 was sent to Civic Works Committee (March 30, 2021) in the Source of Financing #21034

Jason Davies
Manager of Financial Planning & Policy
HB

Report to Civic Works Committee

To: Chair and Members
Civic Works Committee

From: Kelly Scherr, P.Eng., MBA, FEC
Deputy City Manager, Environment & Infrastructure

Subject: Metamora Stormwater Outfall Replacement – Contract Award Increase (RFT21-91)

Date: March 29, 2022

Recommendation

That, on the recommendation of the Deputy City Manager, Environment & Infrastructure, the following actions be taken with respect to the award of contract for the Metamora Stormwater Outfall Replacement and Slope Rehabilitation:

- (a) the contract award increase for BlueCon Construction for additional construction costs of \$200,486, including 20% contingency, excluding HST, for the Metamora Stormwater Outfall Replacement and Slope Rehabilitation works, **BE APPROVED**, resulting in a total contract value of \$1,200,386;
- (b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached, hereto, as Appendix 'A';
- (c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this work;
- (d) the approvals given, herein, **BE CONDITIONAL** upon the Corporation entering into a formal contract with the consultant for the project; and,
- (e) the Mayor and the City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

Executive Summary

Purpose

This report seeks approval to increase the construction contract award for BlueCon Construction to complete the Metamora Stormwater Outfall Replacement and Slope Rehabilitation project.

Context

On February 24, 2021, Ecosystem Recovery Inc. was appointed the Consulting Engineers to complete the detailed design and construction administration for the Metamora Stormwater Outfall Replacement and Slope Rehabilitation works. This work included a detailed design for the replacement of the current outfall and channel works that was supported by necessary studies to efforts to reduce the amount of sediment going into Medway Creek, as well as to stabilize the lands that have eroded from the failing structure.

Subsequently, three bids were received for RFT21-91 for the construction of the Metamora Stormwater Outfall Replacement and Slope Rehabilitation. BlueCon Construction was the lowest bid and subsequently received Administrative Approval for the contract on August 20, 2021, in the amount of \$999,900, excluding HST, with no contingency included at that time. This report seeks additional funding to address unforeseen issues that arose during construction.

Linkage to the Corporate Strategic Plan

This project supports the 2019-2023 Strategic Plan through the following: Building a Sustainable City: Build infrastructure to support future development and protect the environment.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- Civic Works Committee – February 9, 2021 - Metamora Stormwater Outfall Replacement Consultant Appointment.
- Planning and Environment Committee – April 16, 2018 – Conservation Master Plan for the Medway Valley Heritage Forest Environmentally Significant Area (South)

1.2 Location Map



Figure 1: Location map showing Metamora outfall replacement project area

2.0 Discussion and Considerations

The Metamora stormwater outfall is located in the Medway Valley Heritage Forest Environmentally Significant Area (ESA) at 23 Metamora Crescent (see Figure 1). The outfall is adjacent to a pedestrian pathway that runs along the ESA. The existing stormwater outfall was constructed in 1958 and was rated in poor and failing condition with significant erosion occurring around the outfall and into the creek. The Metamora Stormwater Outfall Replacement and Slope Rehabilitation project (Metamora Project) includes a new stormwater outfall, rehabilitation of failing slopes, channel reconstruction, and includes full restoration with new habitat features, tree plantings, invasive species management and inclusion of native species.

The Metamora Project has had many challenges during construction, including:

- An unseasonably wet fall in 2021, created challenging working conditions in the Medway Valley Forest ESA.
- Increased amounts of groundwater seepage and excessive overland flows during rain events lead to the requirement to relocate the construction access road and increase granular materials used to build the road to provide safe access into the ravine.
- Challenges occurred with by-pass pumping due to high water conditions which resulted in time delays.
- A high groundwater table required construction to pivot and make appropriate channel design changes.
- Additional fill material and hydro-seed will be required during the spring work to complete the slope rehabilitation.

3.0 Financial Impact/Considerations

There has been extra construction effort completed by BlueCon Construction due to adverse working conditions encountered that were not anticipated during the design or tender of the project. The additional effort completed to date is valued at \$99,823.90, excluding HST. The remaining items for BlueCon Construction to amount to an additional \$31,400, excluding HST. A 20% contingency is also recommended given the unpredictable conditions of the slope rehabilitation project. A breakdown of these costs is shown in Table 1 below.

Table 1: Summary of additional costs to complete the Metamora Stormwater Outfall Replacement and Slope Rehabilitation project

ITEM	ITEM DESCRIPTION	AMOUNT
1.15	TOPSOIL STRIPPING AND DISPOSAL OFF-SITE	\$3,500.00
1.17	EXCAVATE FOR TEMPORARY CONSTRUCTION ACCESS	\$19,575.00
1.18	SUPPLY AND PLACE 50-200MM ANGULAR CRUSHED STONE	\$49,289.40
1.20	CREEK BYPASS	\$10,200.00
2.1	SUPPLY AND PLACE IMPORTED CLEAN FILL ON SLOPE	\$1,736.00
3	CREEK WORKS	\$15,523.50
Sub-Total Extras To Date		\$99,823.90
1.19	SUPPLY AND PLACE CLEAN FILL MATERIAL	\$21,400.00
6	SUPPLY AND PLACE HYDRO-SEED	\$10,000.00
Sub-Total Project Estimated Extras Remaining To Complete		\$31,400.00
Total Extras		\$131,223.90
Original Tender Value		\$1,002,430.00
Contingency (20%) (ex HST)		\$200,486.00

The budget associated with “ES247821 Waterways Restoration” was established to design and rehabilitate priority channels within the City. There is budget available in this account to fund the contract increase to complete the Metamora Project.

Conclusion

The Metamora Project includes a new stormwater outfall, rehabilitation of failing slopes, channel reconstruction, and includes full restoration with new habitat features, tree plantings, invasive species management and inclusion of native species. It is recommended that BlueCon Construction’s contract award be increased to cover the cost of additional unforeseen construction challenges.

Prepared by: Shawna Chambers, P.Eng., DPA,
Division Manager, Stormwater Engineering

Submitted by: Ashley Rammeloo, MMSc, P. Eng.
Acting Director, Water, Wastewater and Stormwater

Recommended by: Kelly Scherr, P. Eng., MBA, FEC
Deputy City Manager, Environment & Infrastructure

Attachments: Appendix ‘A’ – Sources of Financing

CC: Steve Mollon
Gary McDonald
Alan Dunbar

Jason Davies
Aimal Shinwari
Monica McVicar

Appendix "A"

#22035

March 29, 2022
(Contract Award Increase)

Chair and Members
Civic Works Committee

RE: RFT21-91 Metamora Stormwater Outfall Replacement
(Subledger SWM19011)
Capital Project ES247821 - Waterways Restoration
BlueCon Construction - \$1,200,386.00 (excluding HST)

Finance Supports Report on the Sources of Financing:

Finance Supports confirms that the cost of this project can be accommodated within the financing available for it in the Capital Budget and that, subject to the approval of the Deputy City Manager, Environment and Infrastructure, the detailed source of financing is:

Estimated Expenditures	Approved Budget	Committed To This Date	This Submission	Balance for Future Work
Engineering	186,255	186,255	0	0
Construction	2,612,349	2,057,473	204,014	350,862
City Related Expenses	468	468	0	0
Total Expenditures	\$2,799,072	\$2,244,196	\$204,014	\$350,862

Sources of Financing

Capital Sewer Rates	1,545,336	1,545,336	0	0
Drawdown from Sewage Works Renewal Reserve Fund	1,253,736	698,860	204,014	350,862
Total Financing	\$2,799,072	\$2,244,196	\$204,014	\$350,862

Financial Note:

Contract Price	\$1,200,386
Less Amount previously approved	999,900
	<hr/>
	200,486
Add: HST @13%	26,063
Total Contract Price Including Taxes	226,549
Less: HST Rebate	-22,535
Net Contract Price	<hr/>
	\$204,014

Jason Davies
Manager of Financial Planning & Policy

jg

Report to Civic Works Committee

To: Chair and Members
Civic Works Committee

From: Kelly Scherr, P.Eng., MBA, FEC, Deputy City Manager,
Environment & Infrastructure

Subject: Contract Award: Tender RFT 21-97 Adelaide Street North CPR
Underpass Project – Irregular Result

Date: March 29, 2022

Recommendation

That on the recommendation of the Deputy City Manager, Environment & Infrastructure, the following actions **BE TAKEN** with respect to the Adelaide Street North CPR Underpass Project:

- a) The bid submitted by McLean Taylor Construction Limited at its tendered price of \$60,191,223.44 excluding HST, **BE ACCEPTED** in accordance with the Procurement of Goods and Services Policy Section 8.10 (a) and 13.2 (b); it being noted that this is an irregular result because the cost exceeds the project budget; it also being noted that the bid submitted by McLean Taylor Construction Limited was the lowest of three bids received and meets the City's specifications and requirements;
- b) WSP Canada Inc. Consulting Engineers **BE AUTHORIZED** to complete the contract administration and construction supervision required for this project as well as additional engineering activities, all in accordance with the estimate on file, at an upset amount of \$5,280,625.90 including contingencies and excluding HST, and in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;
- c) the financing for the project **BE APPROVED** in accordance with the "Sources of Financing Report" attached hereto as Appendix A;
- d) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project;
- e) the approvals given, herein, **BE CONDITIONAL** upon the Corporation entering into a formal contract with the consultant for the work;
- f) the approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract for the material to be supplied and the work to be done relating to this project (Tender 21-97); and,
- g) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents including railway purchase orders, if required, to give effect to these recommendations.

Linkage to the Corporate Strategic Plan

The following report supports the Strategic Plan through the strategic focus area of Building a Sustainable City and Growing our Economy by implementing and enhancing safe and convenient mobility choices for pedestrians, cyclists, transit and automobile users.

A new road-rail grade separation on Adelaide Street at the CPR crossing will increase roadway safety by removing the potential for conflict between pedestrians, cyclists, commuters and railway operations, improve traffic flow by managing congestion and

provide route reliability for emergency services, local transit and economic development. The new grade separation will also improve active transportation choices and connectivity for the community and reduce cut-through traffic in adjacent neighbourhoods. Implementation of the grade separation is a strategic Complete Street component of London's comprehensive program of transportation improvements.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- Environment and Transportation Committee – November 28, 2005 – Priority Setting Factors for Future Rail / Road Grade Separations
- Civic Works Committee – June 19, 2012 – London 2030 Transportation Master Plan
- Civic Works Committee – October 28, 2013 – Adelaide Street North / Canadian Pacific Railway Grade Separation Report
- Strategic Priorities and Policy Committee – June 23, 2014 – Approval of 2014 Development Charges By-Law and DC Background Study
- Civic Works Committee – January 5, 2016 – Environmental Assessment Appointment of Consulting Engineer
- Civic Works Committee – December 12, 2016 – Environmental Assessment Update
- Civic Works Committee – September 26, 2017 – Transport Canada Grade Crossing Regulations and Railway Funding Application
- Civic Works Committee – May 28, 2018 – Railway Rationalization
- Civic Works Committee – August 13, 2018 – Environmental Study Report
- Civic Works Committee – January 8, 2019 – Detailed Design & Tendering Appointment of Consulting Engineer
- Civic Works Committee – June 18, 2019 – Memorandum of Understanding with Canadian Pacific Railway Company
- Civic Works Committee – March 30, 2021 – Adelaide Street Underpass Project: Subway Construction Agreement and Crossing and Maintenance Agreement
- Strategic Priorities and Policy Committee – October 28, 2019 – ICIP Public Transit Stream Approved Projects
- Civic Works Committee – March 30, 2021 – ICIP Public Transit Stream Approval of Transfer Payment Agreement

1.2 Purpose

This report recommends the award of construction tender RFT 21-97 for the Adelaide Street North CPR Underpass Project to McLean Taylor Construction Limited. It also recommends that the existing engineering agreement with WSP Canada Inc. be extended to include contract administration, construction supervision and additional engineering activities required for the project.

The low bid for the construction contract resulting from the tendering process is identified as irregular because the cost exceeds the City's project budget. The construction procurement process was rigorous and established the cost of the project in the current dynamic capital construction environment. The project budget was previously set at \$58.3 M based on the environmental assessment finalized in 2018. The total amount of additional funding required to complete the project is \$29.3 M, including additional funding from London Hydro, which would represent a total project cost of \$87.6 M. The proposed financing plan to complete the project is described in the report.

2.0 Context

Adelaide Street North is an important civic boulevard. Improvements to install a new grade separation with the road passing beneath the railway will accommodate pedestrians, cyclists, transit and commercial and passenger automobiles in a safe and efficient manner and improve mobility within the surrounding community.

The CPR crossing of Adelaide Street North was identified as the City's highest priority candidate for a new rail-road grade separation. The crossing, located on Mile 113.73 of CPR's Galt Subdivision, comprises two rail tracks across Adelaide Street North. The Galt Subdivision is a critical route for CPR's service between Canada and America, including local customers in the London area. CPR's rail yard operates on the east side of Adelaide Street North and functions as a primary train assembly point, including shunting operations and a crew hub.

The Adelaide Street Underpass Project was first identified in the 2014 Transportation Development Charges Background Study, with a recommendation for construction in 2031. Due to the crossing's strategic location, the Smart Moves 2030 Transportation Master Plan also identified the need for traffic capacity optimization and transit priority on this corridor.

In 2018, an Environmental Study Report for the Adelaide Underpass Project was completed which addressed improvements to the transportation system, creating a safe crossing of the CPR railway, and readied the project with respect to future infrastructure funding programs.

At Council's direction, the project timing was adjusted in the 2018 Budget Update and the Development Charges Background Study for near-term implementation. The budget amendment identified accelerated project implementation with construction starting as early as 2021. Utility relocations, property acquisition, railway concurrence, and design coordination related to the scale and complexity of the project were completed and the project construction procurement process was commenced in 2021. The Adelaide Underpass Project will benefit the city and CPR by improving safety at the crossing and eliminating conflicts between all road users and train traffic.



Adelaide Street North CPR Underpass Project Limits

3.0 Discussion and Considerations

3.1 Project Description

The Adelaide Underpass Project is a complex project involving numerous property acquisitions, advance utility relocations and several external approvals. The proximity of the grade separation to the CPR yard, and the constrained nature of the site provide unique challenges for both design and construction of this project.

The project was recently reviewed using the Climate Emergency Screening Tool. The screening tool review endorsed the project as a strategic optimization of an existing corridor that provides significant benefits for a large number of residents noting that the current at-grade crossing represents a barrier to active modes and transit as well as commercial and personal vehicles. The project will increase the safety and reliability of the corridor for all road users and reduce cut-through traffic in adjacent neighbourhoods. The underpass will help promote the increased use of sustainable transportation modes by providing complete streets amenities. All ages and abilities active transportation connections will better connect neighbourhoods north and south of the rail line and yard where limited crossings exist, McMahan Park, and planned bike lanes on Central Avenue. The project also improves emergency service reliability.

Once complete, Adelaide Street North will include a new four-lane underpass grade separation with elevated multi-use pathways, a permanent utility corridor on the east side of Adelaide Street, new storm and ground water management infrastructure, and enhanced streetscaping elements.

The primary scope of the project will include:

- A new CPR railway bridge to convey two rail lines over Adelaide Street.
- Lowering, reconstruction and construction of new retaining walls along Adelaide Street North from Elias Street to just north of McMahan Street with pedestrian connectivity to McMahan Park.
- A temporary detour road on the east side of Adelaide Street to maintain two lanes of traffic and a sidewalk during construction.
- Relocation and rebuilding of the historic McMahan Park gate features.
- Landscaping features such as new street furniture, planters, planting beds, and trees.
- Road reconstruction on Central Avenue from William Street to Elizabeth Street including new municipal services and improved alignment across Adelaide Street.
- Intersection improvements at Pall Mall Street including a new pedestrian crossing.
- Intersection improvements at McMahan Street.
- Street lighting and traffic signals.
- Sanitary sewer, storm sewer and watermain relocation and improvements.
- New stormwater pumping station.
- Permanent groundwater control system.

Construction of this tendered project would start in the spring of 2022 with completion anticipated in the summer of 2024.

3.2 Traffic Management

Traffic connectivity will be maintained during the construction project by routing traffic around the construction area utilizing a temporary two-lane road detour on the east side of Adelaide Street North. To facilitate pedestrian crossing of the rail tracks and access

to McMahan Park, a temporary asphalt sidewalk will be constructed along the detour road. Due to the space constraints of the site, and to maintain a safe worksite for workers and pedestrians, the temporary sidewalk will be limited to the east side of the detour road.

Temporary off-peak closures of Adelaide Street North, as well as the closure of Central Avenue between William Street and Elizabeth Street, will be required at different stages of construction. Advanced public notices will be provided prior any closure taking place. A comprehensive traffic calming plan will be implemented in the surrounding community to assist in managing speeds and cut-through traffic during construction.

4.0 Financial Impact/Consideration

4.1 Tender Summary

The magnitude and complexity of this project required an extensive and thorough procurement process. The construction procurement process began on April 30, 2021, with the posting of an RFQUAL (21-07) to prequalify contractors. Posting the RFQUAL added rigour to the process in recognition of the complexity and magnitude of the project. Seven contractors were prequalified. The tender for qualified contractors was subsequently published on November 18, 2021. Tenders for the Adelaide Street North CPR Underpass Project (T21-97) were opened on February 1, 2022. Three contractors submitted their prices as listed below, excluding HST:

Contractor	Company Name	Tender Price Submitted
1.	McLean Taylor Construction Limited	\$60,191,223.44
2.	Bot Engineering & Construction Ltd.	\$68,495,000.00
3.	Dufferin Construction Company, A division of CRH Canada Group Inc.	\$91,564,000.00

All tenders have been reviewed by the City's consultant and the Environment and Infrastructure Service Area and include the required \$5.5 M tender contingency amount. No mathematical errors were found, and the bids were determined to be compliant. The result of the tendering process indicates a competitive process; however, the limited number of bidders when compared to the number that were pre-qualified could suggest strained market capacity. This could be the result of construction labour market limitations and supply chain disruptions that restrict the availability of both personnel and some critical construction materials. These factors, combined with the large number of infrastructure construction projects in the London area and across the province and country, translate to reduced contractor availability for projects and increased cost and risk transfer to infrastructure owners, particularly for specialized services as are required for this project. This consideration is further amplified for this project as there is a limited number of specialized contractors for some components of the work.

This is a unique and complex project that includes items which are challenging to accurately estimate during the design phase, particularly given current industry wide supply chain challenges and rapid rates of inflation for construction materials and labour. The low tender exceeds the approved funds for the project. Based on the tender analysis and comparison against the EA cost estimate, the project exceedance is related to the following factors that are listed in descending order of magnitude:

- Cost uncertainty and risk with respect to material fabrication and impacts to the project schedule for the structural steel and other bridge components. High demand and increasing material costs have substantially increased steel supply

and fabrication costs. Given the rapid rise in costs, it has been challenging to estimate supply chain impacts on schedule and cost.

- Recent construction price escalation and projected increases over the two-year project duration. Rapid construction cost increases are typified by the 11.6% increase in the last 12 months in the Statistics Canada Non-Residential Building Construction Price Index.
- Groundwater management design for the project is complex to prevent migration of groundwater into the underpass. This design reduces ongoing operating costs, but the construction of this wall system is complex and requires specialized equipment and contractors.
- Recent changes to provincial regulations regarding the management of excess materials and the monitoring and treatment of groundwater during construction has resulted in additional costs.
- Complex construction sequencing and scheduling constraints related to the limited allowance for the railway track closures.
- Recent national events have increased the railway insurance requirements and associated costs are variable.
- Labour shortages, increasing costs for skilled labour and increased risk.
- Uncertainty of further restrictions and anticipated continued pandemic-related project risks.

4.2 Consultant Services

WSP was awarded the detailed design of the Adelaide Street North at CPR Underpass Project by Council on January 29, 2019. With the consultant's knowledge and performance during the EA and detailed design phases of the project, the consultant was invited to submit a proposal to carry out the contract administration, construction supervision and additional engineering activities associated with this final phase. Staff have reviewed the fee submission, including the time allocated to each project task, along with hourly rates provided by each of the consultant's staff members. The review of assigned personnel and hourly rates for various activities are in alignment with the original competitive procurement and with other infrastructure assignments.

The continued use of WSP on this project for construction administration phase is of financial advantage to the City because the firm has specific knowledge of the project and has undertaken work for which duplication would be required if another firm were to be selected. The City's requirement for the creation of record drawings following construction requires the reviewing professional engineer to seal the drawings based on field verification and ongoing involvement. This requirement promotes consultant accountability for the design.

In accordance with Section 15.2(g) of the Procurement of Goods and Services Policy, Civic Administration is recommending that WSP Canada Inc. be authorized to carry out the remainder of engineering services, as contract administrators, and complete the project for a fee estimate of \$5,280,625.90, excluding HST. These fees include additional engineering effort required for the municipal infrastructure replacement beyond the original project limits, liaison role during the tendering period, unforeseen design and coordination challenges and environmental monitoring responsibilities during construction all of which are related to the complexity of the project.

4.3 Capital Funding

The approved budget reflects the 2018 environmental assessment planning study estimate of \$58.3 M (capital project TS1306), noting that life-to-date spending on this project is approximately \$22.0 million. The total costs to complete the project exceed the

available budget by \$29.1 M, after additional funding provided by Water, Wastewater, Parks and London Hydro related to their respective portions of the additional costs.

The remainder of project shortfall is proposed to be funded as follows:

Additional Sources of Financing		
Transportation Life Cycle Renewal Budget – TS1446	\$11.2 M	Transferable funding is available in this lifecycle renewal project, noting the Highbury Avenue project deferral described below.
Additional Tax Supported Debt Financing - new funding added to budget	\$8.4 M	Debt financing is available under the City's debt management practices.
Additional Development Charges – City Services Roads Reserve Fund	\$9.5 M	Project is 32.7% DC funded. This is new money added to budget, noting that the Southdale / Wickerson project deferral described below will provide a partial offset to the City Services Roads Reserve Fund
Total	\$29.1 M	

The aim of this financing approach is to balance the need for additional tax-supported and Development Charges funding against the immediate and future impacts on these funding sources. As noted in the table, the funding plan requires the deferral of two Transportation Capital projects as described below:

- The pavement rehabilitation of the Wenige Expressway (Highbury Avenue freeway between Hamilton Road and Hwy 401), which is planned to start as early as 2023, would be postponed by 3 to 5 years. This delay will create a lower level of service on the asset, but the risk is low because the concrete pavement deteriorates at a slow rate, and this can be managed through ongoing monitoring and maintenance repairs.
- Southdale Road and Wickerson Road Two-lane Upgrades from Byronhills Drive to 650 m north of Southdale Road would also be deferred with a new near-term timing to be determined through the 2025 DC Background Study process. A single project is planned for these roads that connect developing areas to flatten the road to improve sight lines and add sidewalks, bike lanes and a multi-use path connection. The project construction currently can start no earlier than 2023 due to new site information including archaeology conditions. The deferral would delay the implementation of the road operational improvements and new active transportation infrastructure, but would also provide time to better define site conditions, ensure appropriate archaeological plans are in plan, and refine the project cost estimate. Deferring these two projects, TS1407-2 and TS1408, in the Transportation growth capital plan will alleviate approximately \$5.0 M of financing pressure on the City Service Roads Reserve Fund and future development charge rates – offsetting the impact of requiring \$9.5 M of additional funding to construct the Adelaide Grade Separation project.

A portion of the project costs are being funded through the Investing in Canada Infrastructure Program (ICIP) Public Transit Stream via the Adelaide Street Underpass Active Transportation Connections project. Under this program, the federal and provincial governments have committed \$11.1 M towards the active transportation components of this project. The funding program requires the project to be complete by October 2027.

CPR will also contribute a fixed amount of \$8.75 M towards the costs of the project in

accordance with an existing contribution agreement as noted in the Source of Financing Report, attached as Appendix A.

The contract would be managed carefully to potentially realize cost efficiencies and surpluses from the contingency amounts that are identified in both the construction and engineering contracts.

4.4 Operating Costs

Anticipated annual operating costs associated with additional infrastructure is summarized below:

Service Area	Rationale	Increase in Annual Operating Cost
Roadway Operations	Additional maintenance required for the roadway, bike lanes, multi-use pathways, and retaining walls.	\$4,250
Transportation Planning and Design	Additional structural inspection requirements	\$2,500
Traffic Engineering	Additional costs for streetlights, pavement markings and electrical equipment	\$11,903
Forestry Operations	Additional tree maintenance	\$2,500
Parks Operations	Additional landscaping and irrigation maintenance	\$22,500
Sewer Operations	Operating cost for additional sewers and new stormwater storage facility	\$7,100
Water Operations	Maintenance of additional water valves	\$75
Wastewater Treatment Operations	Operating cost for the new Pump Station	\$10,000

The property tax supported operational budget impacts will be addressed as part of the annual assessment growth process where appropriate, while the additional Water and Wastewater costs will be addressed in future budget processes.

5.0 Other Considerations

5.1 Procurement Process

The procurement policy provides the option to not award the tender, given the value is in excess of the City Council approved budget. However, a non-award would require the current procurement process to be terminated. Any re-initiation of the project in the future would need to consider sufficient passage of time and change of project scope for the integrity of the procurement process. Identifying project scope changes would be challenging given the required single-phase nature of the project. Additional challenges associated with non-award and future project re-initiation would include:

- Re-initiating the project in the future may have further cost uncertainty given construction price increases and ongoing global supply chain challenges;
- There are coordination risks with CP Rail that could complicate future construction staging and result in additional costs;
- Project delays could jeopardize external funding for this project, as the ICIP funding for this project has a program completion date of October 2027.

5.2 Process Improvement

The results of this tender have prompted administration to scrutinize existing project management processes to improve cost estimate reliability and budget alignment. This project reinforces the importance of regularly reviewing approved budgets relative to project cost estimates at various phases throughout the project, particularly for complex projects with an extended construction procurement phase proceeding in parallel with design completion. This is particularly true in the current environment of cost volatility due to industry supply chain and labour pressures. For other large complex projects with unique elements for which cost estimating databases are limited and volatility is higher, risk-based cost estimating and third-party estimate reviews are process improvements that will be considered.

Conclusion

Implementation of the City's highest priority grade separation at Adelaide Street North and the CP Railway is an important component of London's program of mobility improvements that will mitigate the impact of rail activity for London residents on an important economic and transit corridor.

Improvements to this civic boulevard rail crossing will provide improved pedestrian, cyclist, and transit user amenities consistent with Complete Streets principles. This project will directly improve safety and reliability by eliminating the at-grade crossing, reduce cut-through traffic in nearby neighbourhoods and improve active transportation and quality of life. There are also benefits associated with improving emergency service and transit reliability associated with the current at-grade crossing.

This complex unique project implemented a thorough design and consultation process to develop the required solution. The procurement process was rigorous and established the cost and value of the project in the current dynamic capital construction environment. Civic Administration has reviewed the tender bids, created a financing plan, and recommends that the construction contract for the Adelaide Street North at CPR Underpass Project be awarded to McLean Taylor Construction Limited in the amount of \$60,191,223.44 excluding HST. It is also recommended that WSP Canada Inc. be authorised to carry out the construction administration and coordination to complete this project for a fee estimate of \$5,280,625.90 excluding HST in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy.

Prepared by: Garfield Dales, P.Eng., Division Manager, Transportation Planning and Design

Submitted by: Doug MacRae, P. Eng., MPA, Director, Transportation & Mobility

Recommended by: Kelly Scherr, P. Eng., MBA, FEC, Deputy City Manager, Environment & Infrastructure

Attach: Appendix A: Source of Financing Report

c: Manager of Purchasing and Supply
McLean Taylor Construction Limited
WSP Canada Inc.

Appendix "A"

#22038

March 29, 2022
(Award Contract)

Chair and Members
Civic Works Committee

RE: RFT21-97 Adelaide Street North CPR Underpass Project - Irregular Result
(Subledger RD180013)
Capital Project TS1306 - Adelaide Street Grade Separation
Capital Project TS1306A - Adelaide Street Connections
Capital Project TS1306B - Adelaide Street Connections - Land and Ineligible Costs
Capital Project ES241421 - Infrastructure Renewal Program - Sanitary Sewers
Capital Project ES254022 - Infrastructure Renewal Program - Stormwater Sewers and Treatment
Capital Project EW376521 - Infrastructure Renewal Program - Watermains
Capital Project PK102320 - Maintain District Parks
McLean Taylor Construction Limited - 60,191,223.44 (excluding H.S.T.)
WSP Canada Inc. - 5,280,625.90 (excluding H.S.T.)

Finance Supports Report on the Sources of Financing:

Finance Supports confirms that the cost of this purchase cannot be accommodated within the financing available for it in the Capital Budget, but can be accommodated through transferred financing, additional debenture financing, and an additional drawdown from the City Services - Roads Reserve Fund, and that, subject to the approval of the recommendation of the Deputy City Manager, Environment and Infrastructure, the detailed source of financing is:

Estimated Expenditures	Approved Budget	Additional Requirement (Note 1)	Revised Budget	Committed To Date	This Submission	Balance for Future Work
TS1306 - Adelaide Street Grade Separation						
Engineering	7,431,008	0	7,431,008	3,036,351	4,394,657	0
Land Acquisition	8,337,105	0	8,337,105	8,337,105		0
Construction	16,868,485	29,101,593	45,970,078	3,367,001	42,603,077	0
Utilities (Note 3)	6,410,038	228,081	6,638,119	576,705	6,061,414	0
City Related Expenses	328,564	0	328,564	328,564	0	0
TS1306 Total	39,375,200	29,329,674	68,704,874	15,645,726	53,059,148	0
TS1306A - Adelaide Street Connections						
Engineering	886,730	0	886,730	180	886,550	0
Construction	10,382,838	0	10,382,838	1,605,842	8,776,996	0
Utilities	3,817,162	0	3,817,162	900,495	2,916,667	0
TS1306A Total	15,086,730	0	15,086,730	2,506,517	12,580,213	0
TS1306B - Adelaide Street Connections - Land and Ineligible Costs						
Engineering	813,270	0	813,270	813,270	0	0
Land Acquisition	3,000,000	0	3,000,000	3,000,000	0	0
TS1306B Total	3,813,270	0	3,813,270	3,813,270	0	0
Adelaide Projects Sub-Total	58,275,200	29,329,674	87,604,874	21,965,513	65,639,361	0
ES241421 - Infrastructure Renewal Program - Sanitary Sewers						
Engineering	2,000,000	0	2,000,000	1,794,423	22,468	183,109
Construction	16,994,026	0	16,994,026	13,691,998	256,106	3,045,922
Construction (Utilities Share)	141,098	0	141,098	141,098	0	0
City Related Expenses	25,000	0	25,000	7,612	0	17,388
ES241421 Total	19,160,124	0	19,160,124	15,635,131	278,574	3,246,419
ES254022 - Infrastructure Renewal Program - Stormwater Sewers and Treatment						
Engineering	2,000,000	0	2,000,000	148,176	22,468	1,829,356
Construction	10,334,529	0	10,334,529	4,505,236	256,107	5,573,186
City Related Expenses	100,000	0	100,000	0	0	100,000
ES254022 Total	12,434,529	0	12,434,529	4,653,412	278,575	7,502,542
EW376521 - Infrastructure Renewal Program - Watermains						
Engineering	1,797,676	0	1,797,676	1,613,579	18,300	165,797
Construction	14,147,044	0	14,147,044	13,938,455	208,589	0
City Related Expenses	249,241	0	249,241	249,241	0	0
EW376521 Total	16,193,961	0	16,193,961	15,801,275	226,889	165,797
PK102320 - Maintain District Parks (2020-2023)						
Engineering	52,763	0	52,763	2,763	0	50,000
Construction	2,602,307	0	2,602,307	732,832	42,739	1,826,736
City Related Expenses	2,899	0	2,899	2,899	0	0
PK102320 Total	2,657,969	0	2,657,969	738,494	42,739	1,876,736
Total Expenditures	\$104,908,513	\$29,329,674	\$134,238,187	\$54,980,555	\$66,466,138	\$12,791,494

Appendix "A"

#22038
March 29, 2022
(Award Contract)

Chair and Members
Civic Works Committee

RE: RFT21-97 Adelaide Street North CPR Underpass Project - Irregular Result
(Subledger RD180013)
Capital Project TS1306 - Adelaide Street Grade Separation
Capital Project TS1306A - Adelaide Street Connections
Capital Project TS1306B - Adelaide Street Connections - Land and Ineligible Costs
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Capital Project ES254022 - Infrastructure Renewal Program - Stormwater Sewers and Treatment
Capital Project EW376521 - Infrastructure Renewal Program - Watermains
Capital Project PK102320 - Maintain District Parks
McLean Taylor Construction Limited - 60,191,223.44 (excluding H.S.T.)
WSP Canada Inc. - 5,280,625.90 (excluding H.S.T.)

Sources of Financing	Approved Budget	Additional Requirement (Note 1)	Revised Budget	Committed To This Date	This Submission	Balance for Future Work
TS1306 - Adelaide Street Grade Separation						
Capital Levy - Transfer from Road Networks Improvements	0	5,035,688	5,035,688	0	5,035,688	0
Debenture by-law No. W.-5600-57 (Note 5)	22,554,171	8,439,449	30,993,620	10,520,475	20,473,145	0
Debenture By-law No. W.-5600-57 - Transfer from Road Network Improvements (Note 5)	0	1,820,698	1,820,698	0	1,820,698	0
Drawdown from Transportation Renewal Reserve Fund - Transfer from Road Networks Improvements	0	279,020	279,020	0	279,020	0
Drawdown from Capital Infrastructure Gap Reserve Fund - Transfer from Road Networks Improvements	0	3,993,594	3,993,594	0	3,993,594	0
Drawdown from City Services - Roads Reserve Fund (Development Charges) (Note 2)	10,987,696	9,533,144	20,520,840	5,125,251	15,395,589	0
Other Contributions (Note 3)	5,833,333	228,081	6,061,414	0	6,061,414	0
TS1306 Total	39,375,200	29,329,674	68,704,874	15,645,726	53,059,148	0
TS1306A - Adelaide Street Connections						
Debenture by-law No. W.-5600-57 (Note 5)	744,987	0	744,987	153,436	591,551	0
Public Transit Infrastructure Stream - Federal Funding	6,034,692	0	6,034,692	1,242,891	4,791,801	0
Public Transit Infrastructure Stream - Provincial Funding	5,028,407	0	5,028,407	1,035,639	3,992,768	0
Drawdown from City Services - Roads Reserve Fund (Development Charges) (Note 2)	361,977	0	361,977	74,552	287,425	0
Other Contributions	2,916,667	0	2,916,667	0	2,916,667	0
TS1306A Total	15,086,730	0	15,086,730	2,506,517	12,580,213	0
TS1306B - Adelaide Street Connections - Land and Ineligible Costs						
Debenture by-law No. W.-5600-57 (Note 5)	2,566,331	0	2,566,331	2,566,331	0	0
Drawdown from City Services - Roads Reserve Fund (Development Charges) (Note 2)	1,246,939	0	1,246,939	1,246,939	0	0
TS1306B Total	3,813,270	0	3,813,270	3,813,270	0	0
Adelaide Projects Sub-Total	58,275,200	29,329,674	87,604,874	21,965,513	65,639,361	0
ES241421 - Infrastructure Renewal Program - Sanitary Sewers						
Capital Sewer Rates	11,282,518	0	11,282,518	11,282,518	0	0
Drawdown from Sewage Works Renewal Reserve Fund	5,486,508	0	5,486,508	1,961,515	278,574	3,246,419
Canada Community-Building Fund	2,250,000	0	2,250,000	2,250,000	0	0
Other Contributions	141,098	0	141,098	141,098	0	0
ES241421 Total	19,160,124	0	19,160,124	15,635,131	278,574	3,246,419
ES254022 - Infrastructure Renewal Program - Stormwater Sewers and Treatment						
Capital Sewer Rates	1,269,668	0	1,269,668	1,269,668	0	0
Drawdown from Sewage Works Renewal Reserve Fund	8,914,861	0	8,914,861	1,133,744	278,575	7,502,542
Canada Community-Building Fund	2,250,000	0	2,250,000	2,250,000	0	0
ES254022 Total	12,434,529	0	12,434,529	4,653,412	278,575	7,502,542
EW376521 - Infrastructure Renewal Program - Watermains						
Capital Water Rates	11,672,800	0	11,672,800	11,672,800	0	0
Drawdown from Water Works Renewal Reserve Fund	3,910,610	0	3,910,610	3,517,924	226,889	165,797
Canada Community-Building Fund	601,017	0	601,017	601,017	0	0
Other Contributions	9,534	0	9,534	9,534	0	0
EW376521 Total	16,193,961	0	16,193,961	15,801,275	226,889	165,797
PK102320 - Maintain District Parks (2020-2023)						
Capital Levy	2,657,969	0	2,657,969	738,494	42,739	1,876,736
Total Financing	\$104,908,513	\$29,329,674	\$134,238,187	\$54,980,555	\$66,466,138	\$12,791,494

Appendix "A"

#22038
 March 29, 2022
 (Award Contract)

Chair and Members
 Civic Works Committee

RE: RFT21-97 Adelaide Street North CPR Underpass Project - Irregular Result
 (Subledger RD180013)
 Capital Project TS1306 - Adelaide Street Grade Separation
 Capital Project TS1306A - Adelaide Street Connections
 Capital Project TS1306B - Adelaide Street Connections - Land and Ineligible Costs
 Capital Project ES241421 - Infrastructure Renewal Program - Sanitary Sewers
 Capital Project ES254022 - Infrastructure Renewal Program - Stormwater Sewers and Treatment
 Capital Project EW376521 - Infrastructure Renewal Program - Watermains
 Capital Project PK102320 - Maintain District Parks
 McLean Taylor Construction Limited - 60,191,223.44 (excluding H.S.T.)
 WSP Canada Inc. - 5,280,625.90 (excluding H.S.T.)

Financial Note - Engineering	TS1306	TS1306A	London Hydro	ES241421	ES254022	EW376521
Contract Price	\$4,318,649	\$871,217	\$28,617	\$22,080	\$22,080	\$17,983
Add: HST @13%	561,424	113,258	3,720	2,870	2,870	2,338
Total Contract Price Including Taxes	4,880,073	984,475	32,337	24,950	24,950	20,321
Less: HST Rebate	-485,416	-97,925	-3,720	-2,482	-2,482	-2,021
Net Contract Price	\$4,394,657	\$886,550	\$28,617	\$22,468	\$22,468	\$18,300

Financial Note - Engineering	Engineering Total
Contract Price	\$5,280,626
Add: HST @13%	686,480
Total Contract Price Including Taxes	5,967,106
Less: HST Rebate	-\$594,046
Net Contract Price	\$5,373,060

Financial Note - Construction	TS1306	TS1306A	TS1306 CPR	TS1306A CPR	London Hydro	ES241421
Contract Price	\$41,866,231	\$8,625,194	\$5,833,333	\$2,916,667	\$199,464	\$251,676
Add: HST @13%	5,442,610	1,121,275	758,333	379,167	25,930	32,718
Total Contract Price Including Taxes	47,308,841	9,746,469	6,591,666	3,295,834	225,394	284,394
Less: HST Rebate	-4,705,764	-969,473	-758,333	-379,167	-25,930	-28,288
Net Contract Price	\$42,603,077	\$8,776,996	\$5,833,333	\$2,916,667	\$199,464	\$256,106

Financial Note - Construction Continued	ES254022	EW376521	PK102320I	Construction Total
Contract Price	\$251,677	\$204,981	\$42,000	\$60,191,223
Add: HST @13%	32,718	26,648	5,460	7,824,859
Total Contract Price Including Taxes	284,395	231,629	47,460	68,016,082
Less: HST Rebate	-28,288	-23,040	-4,721	-6,923,004
Net Contract Price	\$256,107	\$208,589	\$42,739	\$61,093,078
Engineering and Construction Total	\$66,466,138			

Note 1: The additional requirement is available by transferring available financing in the life-to-date budget of the Road Networks Improvement capital projects, through additional debenture financing, and as an additional drawdown from City Services - Roads Reserve Fund.

Note 2: Development Charges have been utilized in accordance with the underlying legislation and the approved 2019 Development Charges Background Study and the 2021 Development Charges Background Study Update.

Note 3: London Hydro has confirmed their contribution to this project. The expenditures have increased to accommodate their contributions.

Note 4: There will be additional annual operating costs of \$250,828, which will be addressed through future assessment growth requests and in future Water/Wastewater budgets.

Note 5: Note to City Clerk: The City Clerk be authorized to increase Debenture By-law No. W.-5600-57 by \$13,410,998 from \$22,714,638.00 to \$36,125,636.

 Anna Lisa Barbon
 Deputy City Manager, Finance Supports

Report to Civic Works Committee

To: Chair and Members
Civic Works Committee

From: Kelly Scherr, P.Eng., MBA, FEC
Deputy City Manager, Environment & Infrastructure

Subject: Contract Award: Tender RFT-2022-001 Southdale Road West
Improvements Phase 1

Date: March 29, 2022

Recommendation

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions **BE TAKEN** with respect to the Southdale Road West Improvements Phase 1 Project between Bostwick Road and Pine Valley Boulevard (Tender RFT-2022-001):

- (a) The bid submitted by L82 Construction Ltd., at its tendered price of \$10,177,967.69, excluding HST, **BE ACCEPTED**; it being noted that the bid submitted by L82 Construction Ltd. was the lowest of three bids received and meets the City's specifications and requirements in all areas;
- (b) AECOM Canada Ltd., **BE AUTHORIZED** to complete the contract administration and construction inspection for this project in accordance with the estimate, on file, at an upset amount of \$447,398.00, excluding HST, in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;
- (c) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached, hereto, as Appendix A;
- (d) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project;
- (e) the approvals given, herein, **BE CONDITIONAL** upon the Corporation entering into a formal contract with the consultant for the work;
- (f) the approvals given, herein, **BE CONDITIONAL** upon the Corporation entering into a formal contract for the material to be supplied and the work to be done relating to this project (RFT-2022-001); and,
- (g) the Mayor and the City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

Linkage to the Corporate Strategic Plan

Municipal Council's 2019-2023 Strategic Plan identifies "Building a Sustainable City" and "Growing our Economy" as strategic areas of focus. The following report supports the Strategic Plan by implementing and enhancing safe and convenient mobility choices for pedestrians, cyclists, transit, and automobile users.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- June 19, 2012 - Civic Works Committee – London 2030 Transportation Master Plan
- October 2012 – Planning and Environmental Committee –The Southwest Area Secondary Plan Report

- March 8, 2016 – Civic Works Committee – Bostwick Road Environmental Assessment, Wharncliffe Road West to Pack Road, Appointment of Consulting Engineer
- June 9, 2016 – Strategic Priorities & Policy Committee – Growth Management Implementation Strategy (GMIS): 2017 Annual Review & Update – Appendix ‘F’: Detailed Commentary Regarding Developer Infrastructure Reports
- September 7, 2016 - Civic Works Committee - London ON Bikes Cycling Master Plan
- January 10, 2017 – Civic Works Committee – Environmental Assessment Appointment of Consulting Engineer
- April 2, 2019 – Civic Works Committee – Bostwick Road Realignment Environmental Study Report
- April 2, 2019 – Civic Works Committee – Southdale Road West and Bostwick Road Improvements Environmental Study Report
- May 21, 2019 – Strategic Priorities and Policy Committee – Approval of 2019 Development Charges By-Law and DC Background Study
- July 23, 2019 – Civic Works Committee – Southdale Road West Improvements Phase 1 Detail Design and Tendering Services – Appointment of Consulting Engineer
- October 20, 2020 – Strategic Priorities and Policy Committee – 2021 Development Charges Update Covering Report and Proposed By-law
- August 31, 2021 – Civic Works Committee – Outcome of Climate Lens Screening Applied to Major Transportation Projects
- November 2, 2021 – Civic Works Committee – Initiation of the Mobility Master Plan Development

1.2 Purpose

This report recommends award of the construction tender RFT-2022-001 for the Southdale Road West Improvements Phase 1 project between Bostwick Road and Pine Valley Boulevard to L82 Construction Ltd. It also recommends that the existing engineering agreement with AECOM Canada Ltd. be extended to include contract administration and construction supervision required for the project.

1.3 Background

Southdale Road West is a Civic Boulevard in the London Plan and represents a vital link in the City of London’s mobility network.

Recent and future developments in southwest London will increase pedestrian, cyclist, transit and motorist traffic, turning movements, and safety concerns along Southdale Road West and localized intersections. This project will enhance the functionality and safety of the road by bringing it to current design standards. The project will follow the Complete Streets Design Manual approach and will improve traffic capacity, active transportation connectivity and accessibility for the adjacent communities, and safety for all users.

An Environmental Assessment (EA) for the Southdale Road West corridor from Colonel Talbot Road to Pine Valley Boulevard was completed and the Environmental Study Report (ESR) was approved by Council in April 2019. The ESR identified the transportation infrastructure needs for the Southdale Road West corridor and recommended that this work be completed in phases, with the current proposed phasing:

- Phase 1 – Southdale Road West, from Bostwick Road to Pine Valley Boulevard (this report pertains to this phase)

- Phase 2 – Southdale Road West and Colonel Talbot Road intersection
- Phase 3 – Southdale Road West, from Colonel Talbot Road to Bostwick Road

The study also looked at road enhancements to Bostwick Road from Southdale Road West to Pack Road to support growth in the area.

Phase 1 of the Southdale Road West corridor improvements was recently reviewed using the Climate Emergency Screening Tool. The screening tool review endorsed a complete streets approach for former rural corridors in growing areas like Southdale Road West that are missing components of pedestrian, cycling and transit amenities and do not support municipal and emergency services. Reconstruction of strategic streets to a four-lane Civic Boulevard Complete Street standard is recommended as a cost-effective approach to enable sustainable mobility choices.

A map of the Southdale Road West corridor improvements is included below.

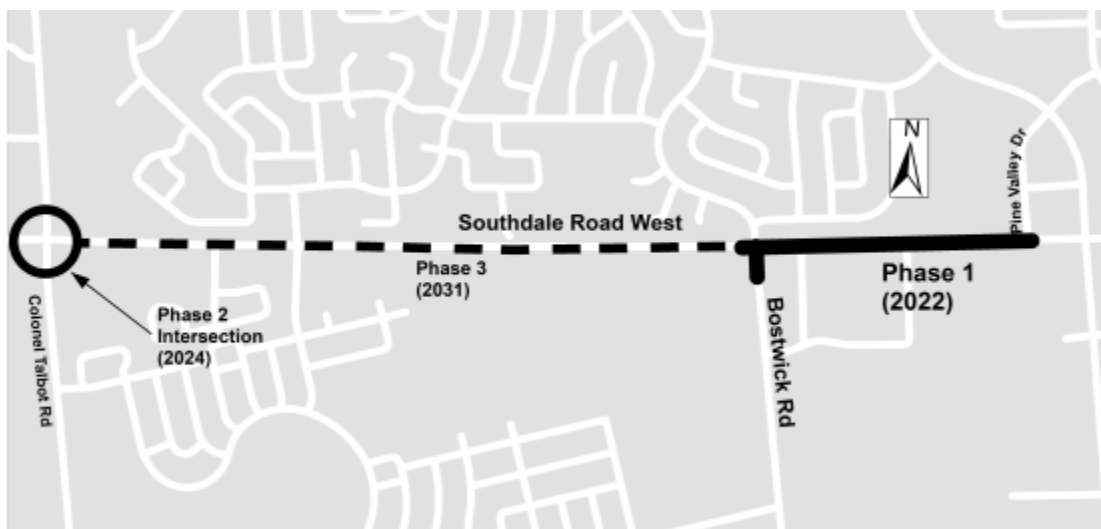


Figure 1: Phases of the Southdale Road West corridor improvements (2019 EA)

1.4 Network Improvements in Southwest London

With the acceptance of this tender, Phase 1 of the Southdale Road West improvements, from Bostwick Road to Pine Valley Boulevard and on Bostwick Road from Southdale Road West to approximately 130 m south of Southdale Road West, is scheduled for construction to commence in Spring 2022. This phase pertains to this report.

Phase 2, the roundabout construction at the intersection of Southdale Road West and Colonel Talbot Road is anticipated to commence in 2024.

Phase 3 of the Southdale Road West improvements from Colonel Talbot Road to Bostwick Road is scheduled for construction in 2031.

Other projects in the area include:

- Colonel Talbot Road from Southdale Road West to James Street is scheduled for a two-lane upgrade in 2023 and will include new active transportation facilities.
- Bostwick Road, from south of the current project to Wharnccliffe Road, is considered for upgrades and realignment in 2025 and 2026.
- The Bradley Avenue extension, from Wonderland Road to Bostwick Road is currently scheduled for construction in 2028.

The City has initiated a new Mobility Master Plan which will consider adjustments to the timing of these future growth projects in coordination with the Growth Management

Implementation Strategy and the creation of the new Development Charges Background Study to inform the 2025 Development Charges Bylaw.

2.0 Discussion and Considerations

2.1 Project Description

The Southdale Road West improvements project was identified as a priority in the Smart Moves 2030 Transportation Master Plan (TMP) and the Transportation Development Charge Background Study recommended improvements to the Phase 1 improvements on Southdale Road from Bostwick Road to Pine Valley Boulevard in the year 2022.

Improvements to this Civic Boulevard will include:

- additional general purpose lanes,
- new curbs, new wider sidewalks, and boulevard improvements,
- new traffic signals at Bostwick Road, Yorkville Street (Bostwick Community Centre), and Pine Valley Boulevard,
- new street lighting,
- new landscaped medians and modifications to existing medians,
- new in-boulevard bike paths on the north and south sides of Southdale Road West and on the east and west sides of Bostwick Road,
- tree planting,
- new noise attenuation barrier at the west end of the project,
- new stormwater low-impact-developments (LIDs),
- accessibility improvements to meet current Accessibility for Ontarians with Disabilities Act (AODA) standards.

Underground infrastructure work will consist of:

- new storm sewers and improvements to existing water and sanitary sewer systems

2.2 Advance Works

The road improvements necessitated utility relocation involving Hydro One, London Hydro, Enbridge Gas, Bell, and Rogers. Utility relocation have been underway in support of the project since the summer of 2021.

Tree removals were undertaken in advance of the utility relocations and the upcoming construction activities. New trees will be planted as part of this project.

2.4 Traffic Management and Communications

A pre-construction public meeting was held on December 15, 2021 to provide an update on the project and share information about the upcoming construction impacts. Property owners, residents, and businesses near the project area were invited to attend.

A detailed traffic staging plan and pedestrian crossing plan were developed in anticipation for construction. It is anticipated that, during construction:

- Temporary lane reductions will be required on Southdale Road West,
- Two lanes of traffic (one in each direction) will be maintained during construction,
- Access to homes, businesses, and the Bostwick Community Centre will be maintained,
- Temporary traffic signals will be in operation at the intersections during construction,

- Construction activities will be coordinated with London Transit Commission (LTC).

The traffic management plan will be communicated, monitored and adjusted during construction based on traffic conditions.

2.5 Construction Schedule

Construction of this project is scheduled to commence in May 2022, subject to approvals. It is anticipated that major construction activities will be completed by the end of the 2022 construction season. Minor works, including the surface course paving and some surface restoration is anticipated to be completed in 2023.

2.6 Procurement Process

The request for tenders (RFT) was published on January 17, 2022. Tenders for the Southdale Road West (RFT-2022-01) were opened on February 17, 2022. Three contractors submitted prices as listed below, including contingency, and excluding HST:

Contractor	Company Name	Tender Price Submitted
1.	L82 Construction Ltd.	\$10,177,967.69
2.	J-AAR Excavating Limited	\$10,254,676.69
3.	Bre-Ex Construction Inc.	\$10,397,873.69

All tenders have been checked by the City's consultant, AECOM Canada Ltd., and the Environment & Infrastructure Service Area. No mathematical errors were found, and the bids were determined to be compliant. The submitted low bid by L82 Construction Ltd. is 4% above the tender estimate that was prepared prior to the tender opening. The tender results indicate competitive pricing from the construction industry and represent value for a project of this size, scope and complexity recognizing current market and supply chain conditions. All tenders include a contingency allowance of \$1.325 M (excluding HST).

The tender amount can be funded from the City's Transportation, Stormwater, and Water Engineering project budgets, with additional funding drawn from the City Services Roads Reserve Fund and additional authorized debenture financing. The additional funding will be utilized to support the completion of various works that were originally anticipated to be included in subsequent phases occurring in future-year projects. The additional funds will support advancing work on Bostwick Road, south of Southdale Road West, including road infrastructure, and also support advancing the work on Southdale Road West, west of Bostwick Road, including new noise attenuation barriers. Completion of these works as part of the Southdale Road Phase 1 project will provide benefits for the nearby neighbourhood, allow for minimized disruption to the public during both this project and the future-year projects, and will be more cost-effective by reducing need for temporary transitions and traffic control staging through intersections.

2.7 Consulting Services

AECOM Canada Ltd. was awarded the detailed design of the Southdale Road West Project by Council in July 2019, after previously completing the EA. With the consultant's knowledge and performance during the EA and detailed design phases of

the project, the consultant was invited to submit a proposal to carry out the contract administration and construction supervision. Staff have reviewed the fee submission, including the time allocated to each project task, along with hourly rates provided by each of the consultant's staff members. The review of assigned personnel and hourly rates for various activities are in alignment with the original competitive procurement and with other infrastructure assignments.

The continued use of AECOM Canada Ltd. on this project for construction administration phase is of financial advantage to the City because the firm has specific knowledge of the project and has undertaken work for which duplication would be required if another firm were to be selected. The City's requirement for the creation of record drawings following construction requires the reviewing professional engineer to seal the drawings based on field verification and ongoing involvement. This requirement promotes consultant accountability for the design.

In accordance with Section 15.2(g) of the Procurement of Goods and Services Policy, Civic Administration is recommending that AECOM Canada Ltd. be authorized to carry out the remainder of engineering services, as contract administrators, and complete the project for a fee estimate of \$447,398.00 including contingency and excluding HST.

3.0 Financial Impact/Considerations

3.1 Operating Cost

Anticipated annual operating costs associated with additional infrastructure is summarized below:

Service Area	Rationale	Increase in Annual Operating Cost
Roadway Operations	Additional maintenance required for the roadway, sidewalks, in boulevard bike paths, additional pavement markings.	\$48,773
Traffic Engineering	Additional costs for streetlights, pavement markings at intersections and electrical equipment	\$29,600
Forestry and Parks Operations	Additional tree and irrigation system maintenance, additional landscaping, cutting grass on medians	\$45,250
Sewer Operations	Operating cost for additional sewers and Low Impact Development structures (LIDs)	\$5,000
Water Operations	Water chamber improvements	\$650

The property tax supported operational budget impacts will be addressed as part of the annual assessment growth case process where appropriate, while the additional Water and Wastewater costs will be addressed in future budget processes.

Conclusion

Civic Administration has reviewed the tender bids and recommends that the construction contract for the Southdale Road West Improvements Phase 1 project be awarded to L82 Construction Ltd. in the amount of \$10,177,967.69, including contingency and excluding HST, in accordance with Section 8.5 (a) ii of the City of London's Procurement of Goods and Services Policy.

It is also recommended that AECOM Canada Ltd. be authorized to carry out the contract administration and construction supervision to complete this project for a fee estimate of \$447,398.00, including contingency and excluding HST, in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy.

Improvements to Southdale Road West and Bostwick Road are necessary as existing and planned developments in the vicinity will create growth along the Southdale Road West corridor. Construction of a four-lane Civic Boulevard Complete Street standard with pedestrian, cycling and transit amenities will ensure the corridor meets the long-term needs of the growing community in southwest London.

Prepared by: **Garfield Dales, P. Eng.**
Division Manager, Transportation Planning and Design

Submitted by: **Doug MacRae, P. Eng., MPA**
Director, Transportation & Mobility

Recommended by: **Kelly Scherr, P. Eng., MBA, FEC**
Deputy City Manager, Environment & Infrastructure

Attach: Appendix A – Source of Financing

c:
Manager of Purchasing and Supply
Michelle Morris, City of London
Violetta Sypien, City of London
AECOM Canada Ltd, Ian Blevins
L82 Construction Ltd.

Appendix "A"

#22032
 March 29, 2022
 (Award Contract)

Chair and Members
 Civic Works Committee

RE: RFT2022-001 Southdale Road West Improvements Phase 1
 Capital Project TS1629-1 - Southdale Road West - Bostwick to Pine Valley
 Capital Project TS1357 - Bostwick Rd Upgrades - Pack Rd to Southdale Rd
 Capital Project EW376521 - Infrastructure Renewal Program - Watermains
 Capital Project EW382519 - Watermain - Strategic Links (2019-2023)
 Capital Project ES247821 - Waterways Restoration
 AECOM Canada Ltd. - \$447,398.00 (Excluding HST)
 L82 Construction Ltd. - \$10,177,967.69 (Excluding HST)

Finance Supports Report on the Sources of Financing:

Finance Supports confirms that the cost of this project cannot be accommodated within the financing available for it in the Capital Budget, but can be accommodated by advancing future budgets, an additional drawdown from City Services - Roads Reserve Fund and additional debenture financing, and that, subject to the approval of the recommendation of the Deputy City Manager, Environment and Infrastructure, the detailed source of financing is:

Estimated Expenditures	Approved Budget	Additional Requirement (Note 1)	Revised Budget	Committed To This Date	This Submission	Balance for Future Work
TS1629-1 - Southdale Road West - Bostwick to Pine Valley						
Engineering	714,072	0	714,072	493,482	220,590	0
Land Acquisition	626,517	0	626,517	626,517	0	0
Construction	4,576,678	2,853,352	7,430,030	1,012,857	6,417,173	0
Utilities	77,728	0	77,728	77,728	0	0
City Related Expenses	14,005	0	14,005	14,005	0	0
TS1629-1 Total	6,009,000	2,853,352	8,862,352	2,224,589	6,637,763	0
TS1357 - Bostwick Rd Upgrades - Pack Rd to Southdale Rd						
Engineering	0	200,000	200,000	0	200,000	0
Construction	0	3,150,901	3,150,901	0	3,150,901	0
TS1357 Total	0	3,350,901	3,350,901	0	3,350,901	0
EW376521 - Infrastructure Renewal Program - Watermains						
Engineering	2,108,025	0	2,108,025	1,612,112	1,467	494,446
Construction	13,836,695	0	13,836,695	13,803,302	33,393	0
City Related Expenses	249,241	0	249,241	249,241	0	0
EW376521 Total	16,193,961	0	16,193,961	15,664,655	34,860	494,446
EW382519 - Watermain - Strategic Links (2019-2023)						
Engineering	80,000	0	80,000	0	11,222	68,778
Construction	1,634,546	0	1,634,546	0	255,276	1,379,270
EW382519 Total	1,714,546	0	1,714,546	0	266,498	1,448,048
ES247821 - Waterways Restoration						
Engineering	186,255	0	186,255	164,260	21,995	0
Construction	2,612,349		2,612,349	1,557,115	500,358	554,876
City Related Expenses	468	0	468	468	0	0
ES247821 Total	2,799,072	0	2,799,072	1,721,843	522,353	554,876
Total Expenditures	\$26,716,579	\$6,204,253	\$32,920,832	\$19,611,087	\$10,812,375	\$2,497,370

Sources of Financing

TS1629-1 - Southdale Road West - Bostwick to Pine Valley						
Capital Levy	117,600	0	117,600	117,600	0	0
Debenture By-law No. W.-5618-64 (Note 3)	390,109	241,084	631,193	70,359	560,834	0
Drawdown from City Services - Roads Reserve Fund (Development Charges) (Note 2)	5,501,291	2,612,268	8,113,559	2,036,630	6,076,929	0
TS1629-1 Total	6,009,000	2,853,352	8,862,352	2,224,589	6,637,763	0
TS1357 - Bostwick Rd Upgrades - Pack Rd to Southdale Rd						
Debenture Quota (Note 4)	0	465,775	465,775	0	465,775	0
Drawdown from City Services - Roads Reserve Fund (Development Charges) (Note 2)	0	2,885,126	2,885,126	0	2,885,126	0
TS1357 Total	0	3,350,901	3,350,901	0	3,350,901	0

Appendix "A"

#22032
March 29, 2022
(Award Contract)

Chair and Members
Civic Works Committee

RE: RFT2022-001 Southdale Road West Improvements Phase 1

	Approved Budget	Additional Requirement (Note 1)	Revised Budget	Committed To Date	This Submission	Balance for Future Work
EW376521 - Infrastructure Renewal Program - Watermains						
Capital Water Rates	11,672,800	0	11,672,800	11,672,800	0	0
Drawdown from Water Works Renewal Reserve Fund	3,910,610	0	3,910,610	3,381,304	34,860	494,446
Canada Community-Building Fund	601,017	0	601,017	601,017	0	0
Other Contributions	9,534	0	9,534	9,534	0	0
EW376521 Total	16,193,961	0	16,193,961	15,664,655	34,860	494,446
EW382519 - Watermain - Strategic Links (2019-2023)						
Drawdown from Water Works Renewal Reserve Fund	171,454	0	171,454	0	26,650	144,804
Drawdown from City Services - Water Reserve Fund (Development Charges) (Note 2)	1,543,092	0	1,543,092	0	239,848	1,303,244
EW382519 Total	1,714,546	0	1,714,546	0	266,498	1,448,048
ES247821 - Waterways Restoration						
Capital Sewer Rates	1,545,336	0	1,545,336	1,545,336	0	0
Drawdown from Sewage Works Renewal Reserve Fund	1,253,736	0	1,253,736	176,507	522,353	554,876
ES247821 Total	2,799,072	0	2,799,072	1,721,843	522,353	554,876
Total Financing	\$26,716,579	\$6,204,253	\$32,920,832	\$19,611,087	\$10,812,375	\$2,497,370
Financial Note - Engineering						
	TS1629-1	TS1657	EW376521	EW382519	ES247821	Subtotal
Contract Price	\$216,774	\$196,541	\$1,442	\$11,027	\$21,614	\$447,398
Add: HST @13%	28,181	25,550	187	1,434	2,810	58,162
Total Contract Price Including Taxes	244,955	222,091	1,629	12,461	24,424	505,560
Less: HST Rebate	-24,365	-22,091	-162	-1,239	-2,429	-50,286
Net Contract Price	\$220,590	\$200,000	\$1,467	\$11,222	\$21,995	\$455,274
Financial Note - Construction						
	TS1629-1	TS1657	EW376521	EW382519	ES247821	Subtotal
Contract Price	\$6,306,184	\$3,096,404	\$32,815	\$250,861	\$491,704	\$10,177,968
Add: HST @13%	819,804	402,533	4,266	32,612	63,922	1,323,136
Total Contract Price Including Taxes	7,125,988	3,498,937	37,081	283,473	555,626	11,501,104
Less: HST Rebate	-708,815	-348,036	-3,688	-28,197	-55,268	-1,144,003
Net Contract Price	\$6,417,173	\$3,150,901	\$33,393	\$255,276	\$500,358	\$10,357,101
Total - Engineering and Construction	\$10,812,375					

Note 1: The additional requirement in TS1629-1 - Southdale Road West - Bostwick to Pine Valley can be accommodated by advancing the 2023 approved capital budget of \$289,505, through an additional drawdown from the City Services - Roads Reserve Fund (Development Charges) and an increase in authorized debenture financing.

The additional requirement in TS1357 - Bostwick Rd Upgrades - Pack Rd to Southdale Rd can be accommodated by advancing funding included in the 2023 approved budget and 2024 and 2025 forecasted capital budgets.

Upon Council approval of this recommendation, the future capital budgets of TS1629-1 and TS1357 will be revised.

Note 2: Development Charges have been utilized in accordance with the underlying legislation and the approved 2019 Development Charges Background Study and the 2021 Development Charges Background Study Update.

Note 3: Note to City Clerk: The City Clerk be authorized to increase Debenture By-law No. W.-5618-64 by \$241,084 from \$390,109 to \$631,193.

Note 4: Note to City Clerk: Administration hereby certifies that the estimated amounts payable in respect of this project does not exceed the annual financial debt and obligation limit for the Municipality from the Ministry of Municipal Affairs in accordance with the provisions of Ontario Regulation 403/02 made under the Municipal Act, and accordingly the City Clerk is requested to prepare and introduce the necessary by-laws.

An authorizing by-law should be drafted to secure debenture financing for project TS1357 - Bostwick Rd Upgrades - Pack Rd to Southdale Rd for the net amount to be debentured of \$465,775.

Note 5: There will be additional annual operating costs of \$129,273, which will be addressed through future assessment growth requests and in future Water/Wastewater budgets.

Kyle Murray
Director, Financial Planning and Business Support
lp

From: van Holst, Michael
Sent: Monday, March 21, 2022 8:49 AM
To: CWC <cwc@london.ca>
Cc: Livingstone, Lynne; City of London, Mayor ; Peloza, Elizabeth
Subject: RE: Report on Road Closures

Dear CWC chair and colleagues,

The blocking off streets downtown around Victoria Park on weekends has become a repeated occurrence and has raised numerous questions. For this reason, I will move the following motion:

That staff BE DIRECTED to report back to the CWC committee regarding the justifications and costs of the recent non-construction related street closures.

Sincerely,

Michael van Holst

DEFERRED MATTERS

CIVIC WORKS COMMITTEE

as of March 21, 2022

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
1.	<p><u>Rapid Transit Corridor Traffic Flow</u> That the Civic Administration BE DIRECTED to report back on the feasibility of implementing specific pick-up and drop-off times for services, such as deliveries and curbside pick-up of recycling and waste collection to local businesses in the downtown area and in particular, along the proposed rapid transit corridors.</p>	December 12, 2016	Q4, 2022	K. Scherr J. Dann	
2.	<p><u>Garbage and Recycling Collection and Next Steps</u> That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, with the support of the Director, Environment, Fleet and Solid Waste, the following actions be taken with respect to the garbage and recycling collection and next steps: ii) an Options Report for the introduction of a semi or fully automated garbage collection system including considerations for customers and operational impacts.</p>	January 10, 2017	Q3, 2022	K. Scherr J. Stanford	
3.	<p><u>Bike Share System for London – Update and Next Steps</u> That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the potential introduction of bike share to London: that the Civic Administration BE DIRECTED to finalize the bike share business case and prepare a draft implementation plan for a bike share system in London, including identifying potential partners, an operations plan, a marketing plan and financing strategies, and submit to Civic Works Committee by January 2020; it being noted that a communication from C. Butler, dated August 8, 2019, with respect to the above matter was received.</p>	August 12, 2019	Q2, 2022	K. Scherr J. Stanford	

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
4.	<p><u>MADD Canada Memorial Sign</u> That the following actions be taken with respect to the memorial sign request submitted by Shauna and David Andrews, dated June 1, 2020, and supported by Mothers Against Drunk Driving (MADD) Canada:</p> <p>a) the Civic Administration BE DIRECTED to engage in discussions with MADD Canada regarding MADD Canada Memorial Signs and bring forward a proposed Memorandum of Understanding with MADD Canada for Council's approval;</p> <p>it being noted that MADD will cover all sign manufacturing and installation costs;</p> <p>it being further noted that the Ministry of Transportation and MADD have set out in this Memorandum of Understanding ("MOU") the terms and conditions for the placement of memorial signs on provincial highways which is not applicable to municipal roads;</p> <p>it being further noted that MADD provides messages consistent with the London Road Safety Strategy; and,</p> <p>b) the Civic Administration BE DIRECTED to work with MADD Canada to find a single permanent location in London for the purpose of memorials.</p>	July 14, 2020	Q3, 2022	D. MacRae A. Salton	
5.	<p><u>Updates - 60% Waste Diversion Action Plan Including Green Bin Program</u> d) the Civic Administration BE DIRECTED to:</p> <p>i) continue to prioritize work activities and actions that also contribute to the work of the London Community Recovery Network; and,</p> <p>ii) submit a report to the Civic Works Committee by June 2021 that outlines advantages, disadvantages, and implementation scenarios for various waste reduction and reuse initiatives, including but not limited to, reducing the container limit, examining the use of clear bags for</p>	November 17, 2020	Q2, 2022	K. Scherr J. Stanford	

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
	garbage, mandatory recycling by-laws, reward and incentive systems, and additional user fees.				
6.	<p><u>Green Bin Program Design - Community Engagement Feedback</u></p> <p>That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer the following actions be taken with respect to the staff report dated March 30, 2021, related to the Green Bin Program Design and Community Engagement Feedback:</p> <p>e) the Civic Administration BE DIRECTED to report back at a future meeting of the Civic Works Committee on the outcome of the procurement processes and provide details on the preferred mix of materials to collect in the Green Bin and any final design adjustments based on new information; and,</p> <p>f) the Civic Administration BE DIRECTED to report back to the Civic Works Committee by September 2021 on municipal programs options, advantages, disadvantages and estimated costs to address bi-weekly garbage concerns.</p>	March 30, 2021	Q2, 2022	K. Scherr J. Stanford	
7.	<p><u>3rd Report of the Cycling Advisory Committee</u></p> <p>b) the following actions be taken with respect to a City of London PumpTrack:</p> <p>ii) the Civic Administration BE REQUESTED to report back on the process and fees associated with a feasibility study with respect to the establishment of a pumptrack facility in the City of London; it being noted that the communication, as appended to the agenda, from B. Cassell and the delegation from S. Nauman, with respect to this matter, was received</p>	May 11, 2021	TBD	K. Scherr, S. Stafford	
8.	<p><u>Blackfriars Bridge</u></p> <p>That consideration of the Blackfriars Bridge remaining closed to vehicles indefinitely BE REFERRED to a future meeting of the Civic Works Committee in order for the Civic Administration to complete the required usage study as required in the Provincial EA, provide the related report to</p>	November 2, 2021	Q2, 2023	K. Scherr, D. MacRae	

File No.	Subject	Request Date	Requested/Expected Reply Date	Person Responsible	Status
	council, and allow for a more fulsome public engagement with respect to this matter.				

March 22,2022

Mayor Ed Holder
City of London
314-300 Dufferin Ave
London, Ontario N6B1Z2

email: eholder@london.ca

Councillor Jesse Helmer
Ward 4 Councillor
City of London
314-300 Dufferin Ave

email: jhelmer@london.ca

We the undersigned are writing to voice our concerns and opposition to the proposed construction of a sidewalk which would run on the east side of the Kenmore Place between Melsandra Ave and Kipps Lane. There are 28 homes on Kenmore place with majority of homeowners opposed to the new sidewalk installation. All residents on the East side of the street have signed the petition.

Firstly, there is a question of whether the side walk is necessary on Kenmore Street. This is a quiet street with insignificant foot traffic.

One major concern is the that location of the side walk starting at 1.8 meters in from the curb coupled with the 1.5-meter side walk which will place the side walk close to the middle of most home owner's front lawns. This seems quite intrusive and takes away from the aesthetics of the properties affected.

In addition, there are also some concerns with winter maintenance with the damage of grass adjacent to the sidewalk from the snow removal machines as well as possible damage to existing laneways.

We object to the city of London imposing unnecessary and unrequested infrastructure and are not convinced that that this is money well spent with the installation of this sidewalk. If safety is a concern in this neighbourhood, we would suggest that tax payer's funds be spent on speed bumps and lighting on Melsandra Ave between Briar Hill and Barker Street. This would definitely help to control the speed of the traffic on Melsandra Ave.

Unfortunately, several trees that the City of London had planted last fall on the east side of the road have been already cut down in preparation for the new side walk. We are surprised that they were cut down and not moved to a different location.

Please find the attached petition in the opposition to the installation of a sidewalk on Kenmore Place- we authorize its use within the public agenda to be presented to the Civic Works Committee meeting of March 29,2022, and we trust that the committee will grant this with serious regard and consideration.

Thank you.

Tim Jamieson

On behalf of the homeowners on Kenmore PL.