

Agenda Including Addeds

Civic Works Committee

The 2nd Meeting of the Civic Works Committee

January 10, 2023

12:00 PM

Council Chambers - Please check the City website for additional meeting detail information. Meetings can be viewed via live-streaming on YouTube and the City Website.

The City of London is situated on the traditional lands of the Anishinaabek (AUh-nish-in-ah-bek), Haudenosaunee (Ho-den-no-show-nee), Lūnaapéewak (Len-ah-pay-wuk) and Attawandaron (Add-a-won-da-run).

We honour and respect the history, languages and culture of the diverse Indigenous people who call this territory home. The City of London is currently home to many First Nations, Metis and Inuit people today.

As representatives of the people of the City of London, we are grateful to have the opportunity to work and live in this territory.

Members

Councillors C. Rahman (Chair), H. McAlister, P. Cuddy, S. Trosow, P. Van Meerbergen, Mayor J. Morgan

The City of London is committed to making every effort to provide alternate formats and communication supports for meetings upon request. To make a request specific to this meeting, please contact CWC@london.ca or 519-661-2489 ext. 2425.

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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 No. 2022-238
East London Link and Municipal Infrastructure Improvements
Phase 2

Date: January 10, 2023

Recommendation

That on the recommendation of the Deputy City Manager, Environment & Infrastructure, the following actions **BE TAKEN** with respect to the award of contracts for the East London Link and Municipal Infrastructure Improvements Phase 2 project; it being noted that in accordance with Section 13.2 of the City of London's Procurement of Goods and Services Policy Request for Tender (RFT) contract awards greater than \$6,000,000 require approval of City Council:

- (a) the bid submitted by Bre-Ex Construction Inc. at its tendered price of \$16,897,237.39 excluding HST, for the East London Link and Municipal Infrastructure Improvements Phase 2 project, **BE ACCEPTED**; it being noted that the bid submitted by Bre-Ex Construction Inc. was the lowest of four bids received and meets the City's specifications and requirements in all areas;
- (b) Archibald, Gray and McKay Engineering Ltd. **BE AUTHORIZED** to carry out the resident inspection and contract administration for the said project in accordance with the estimate, on file, at an upset amount of \$1,501,150, 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 attached, hereto, as Appendix A;
- (d) the Civic Administration **BE AUTHORIZED** to undertake all administrative acts that are necessary in connection with this project;
- (e) the approval given, herein, **BE CONDITIONAL** upon the Corporation entering into a formal contract, or issuing a purchase order for the material to be supplied and the work to be done, relating to this project (Tender 2022-238); 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

This report recommends award of a tender to a contractor and continuation of consulting services for construction inspection and contract administration for the East London Link and Municipal Infrastructure Improvements Phase 2 project, which will reconstruct King Street from Lyle Street to Ontario Street, Ontario Street from King Street to Dundas Street and Dundas Street from Ontario Street to Egerton Street. Figure 1 below depicts the East London Link corridor and the approximate limits of the Phase 2 assignment.



Figure 1: East London Link Project and the Phase 2 Construction Limits

Context

On March 26, 2019, Council approved the submission of funding applications for ten transit and transit supportive projects. All ten projects were approved under the Public Transit Infrastructure Stream (PTIS) program, including the East London Link.

On June 25, 2019, the Province pledged \$103.2 million through the PTIS program to the City of London for the ten projects. On August 23, 2019, the Federal government announced \$123.8 million for the same projects under the PTIS program. On October 10, 2019, the City of London received a letter from the Ontario Ministry of Transportation confirming financial commitment for the ten projects under the PTIS program.

The East London Link corridor covers approximately seven (7) kilometers of roadway connecting to the Downtown Loop and through eastern London connecting to a proposed transit hub located internally at Fanshawe College. The project will implement dedicated transit lanes with the goal of increasing transit frequency and reliability. Removing buses from mixed traffic will also improve capacity in general traffic lanes.

In addition to being a planned rapid transit corridor, the East London Link contains aging municipal infrastructure. There is a need to replace water, sanitary and storm infrastructure and update private utility services to support infrastructure renewal, population growth, re-development and revitalization along rapid transit corridors. These significant and challenging municipal infrastructure lifecycle replacements will be coordinated as part of this overall assignment.

Linkage to the Corporate Strategic Plan

The following report supports the Strategic Plan through the strategic focus area of “Building a Sustainable City” by implementing and enhancing safe and convenient mobility choices for transit riders, automobile users, pedestrians, and cyclists.

This report also supports the Strategic Plan through the strategic focus area of “Growing Our Economy” by supporting revitalization of London’s downtown and urban areas.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- Civic Works Committee – June 19, 2012 – London 2030 Transportation Master Plan;
- Strategic Priorities and Policy Committee – July 24, 2017 – Rapid Transit Master Plan and Business Case;
- Strategic Priorities and Policy Committee – April 23, 2018 – Bus Rapid Transit Environmental Assessment Initiative;
- Civic Works Committee – March 14, 2019 – The History of London’s Rapid Transit Initiative;
- Strategic Priorities and Policy Committee – March 25, 2019 – Investing in Canada Infrastructure Program, Public Transit Stream, Transportation Projects for Submission;
- Strategic Priorities and Policy Committee – October 28, 2019 – Investing in Canada Infrastructure Program, Public Transit Infrastructure Stream, Approved Projects;
- Civic Works Committee – January 7, 2020 – Downtown Loop and Municipal Infrastructure Improvements Appointment of Consulting Engineer;
- Civic Works Committee – August 11, 2020 – East London Link Transit and Municipal Infrastructure Improvements – Appointment of Consulting Engineer;
- Civic Works Committee – August 11, 2020 – Wellington Gateway Transit and Municipal Infrastructure Improvements – Appointment of Consulting Engineer;
- Civic Works Committee – February 1, 2022 – East London Link and Municipal Infrastructure Improvements Phase 1.
- Vendor of Record Contract Award – November 29, 2022 – Rapid Transit Shelter Infrastructure.

2.0 Discussion and Considerations

2.1 East London Link Rapid Transit Corridor

The East London Link corridor is a mixed-use corridor, with existing land uses including historic businesses, residential neighbourhoods, and heavy industrial uses. The corridor is anchored by Downtown London at the western end and Fanshawe College at the eastern end, serving the Western Fairgrounds, Old East Village, 100 Kellogg Lane, the Stackhouse District, future development at the former McCormick and London Psychiatric Hospital lands, and Fanshawe College’s main campus.

Local bus routes are currently focused on Dundas Street east of Wellington Street. Constructing the East London Link will repurpose and/or widen existing traffic lanes to introduce rapid transit operations and improve capacity in general traffic lanes by keeping buses in transit lanes.

While rebuilding the roads, the project will address necessary underground work, including replacing aging sewers and watermains in addition to revitalizing approximately seven (7) kilometers of roadway in the core and east London. The municipal underground works within this project have been identified as high priority due to the age, condition, and associated risk of failure of the infrastructure.

Phase 1 of the East London Link reconstructed King Street from Wellington Street to Lyle Street and was constructed in 2022. East London Link Phase 1 reopened to traffic in December of 2022 with minor carryover works required in the spring/summer of 2023.

2.2 East London Link Phase 2 Contract

This is a large and complex project involving significant reconstruction of King Street from Lyle Street to Ontario Street, Ontario Street from King Street to Dundas Street and Dundas Street from Ontario Street to Egerton Street. The reconstruction will include the following improvements:

- Full road reconstruction to incorporate rapid transit dedicated lanes, including new asphalt, boulevard enhancements, curb and gutter and sidewalks;
- Along King Street, a contraflow bus lane will be added that will introduce westbound bus traffic adjacent to the existing easterly one-way traffic operations;
- Conversion of Ontario Street from one-way to two-way operations that will support both general purpose vehicles, as well as transit;
- Curbside bus-only lanes with priority signals to improve traffic and safety;
- The addition of new rapid transit stops along Ontario Street at King Street totalling two (2) stations;
- New street lights and traffic signal upgrades;
- Repair and replacement of aging watermain, storm and sanitary sewers including private drain connections; and
- Hydro and other private utility improvements.

2.3 East London Link Environmental Assessment Update

The rapid transit environmental assessment design concepts had proposed centre-running dedicated transit lanes for Ontario and Dundas Streets. While centre-running bus lanes provide optimal rapid transit operations, applying this configuration to Dundas Street came with drawbacks such as limited left turn access to businesses and side streets, large stop spacing and considerable private property impacts.

The constrained Dundas Street segment of the east corridor presented further challenges through detailed design. An updated curbside dedicated lane design was reviewed that still includes a centre median but allows for added left/u-turn points and significantly reduced land acquisition needs. Curbside bus lanes also created the opportunity to include an additional stop servicing 100 Kellogg Lane, breaking up the longest stop spacing on the corridor of over 1.1km. Balancing benefits versus impacts of the two configurations, the Ontario and Dundas Street sections of the corridor were revised to curbside bus lanes.

In accordance with provincial legislation, the design revisions were not deemed significant in relation to matters of provincial importance. As such, a note-to-file was sufficient to satisfy provincial environmental assessment addendum requirements.

2.4 Archaeological Monitoring

The project is being undertaken in area of high archaeological sensitivity due to former St. Paul's Anglican Cemetery (1852-1880) and early Western Fair facilities.

Archaeological monitoring is required within the identified areas of archaeological concern (monitoring zones) including:

- King Street between Rectory Street and Ontario Street
- Western Fair Property east of Ontario Street
- Ontario Street between King Street and Dundas Street

- Dundas Street from west of Ontario Street to edge of Western Fair property at Egerton Street

Given the sensitivity associated with area construction, the contractor will coordinate all work with a licensed consultant archaeologist hired by the City.

The contractor will be required to receive training on and follow an Archaeological Construction Monitoring and Contingency Plan for the Project. They will work with the City and licensed consultant archaeologist hired by the City to ensure construction monitoring conforms with provincial requirements (Ontario Heritage Act (Reg. 170/04), Funeral Burials and Cremation Services Act, 2011 Standards & Guidelines for Consultant Archaeologists). The contractor must coordinate all work with the licensed consultant archaeologist and ensure the archaeologist is on site for all below-ground excavation work. They will be required to take instruction from the archaeologist should archaeological resources be found.

For scheduling purposes, the contractor shall carry out work in the area of archaeological concern (monitoring zone) as early in the construction schedule as possible to avoid delays. They will also coordinate proposed construction activities to allow flexibility to work in several areas at once, should archaeological finds be made.

The fees of the licensed archaeologist will be paid directly by the City if discovery of significant archaeological finds occur. Any additional costs incurred by the contractor in support of additional investigations will be treated as an extra and reimbursed by the City, upon prior approval.

2.5 Construction Staging

Mitigation of construction impacts is a priority for this project to minimize the impacts on local businesses, residents and the public. Due to the large volume of work to be completed in a single construction season, multiple stages/substages may have to be constructed at the same time.

It will be the contractor's responsibility to manage business and local traffic through these areas as documented in the contractor's traffic management plan. The contract includes a pay item for the City, Contractor and the Contract Administrator to work collaboratively and review opportunities to streamline construction staging and overall project schedule in an effort to reduce resident, business, and social impacts. The proposed construction limits are shown in **Figure 2**.

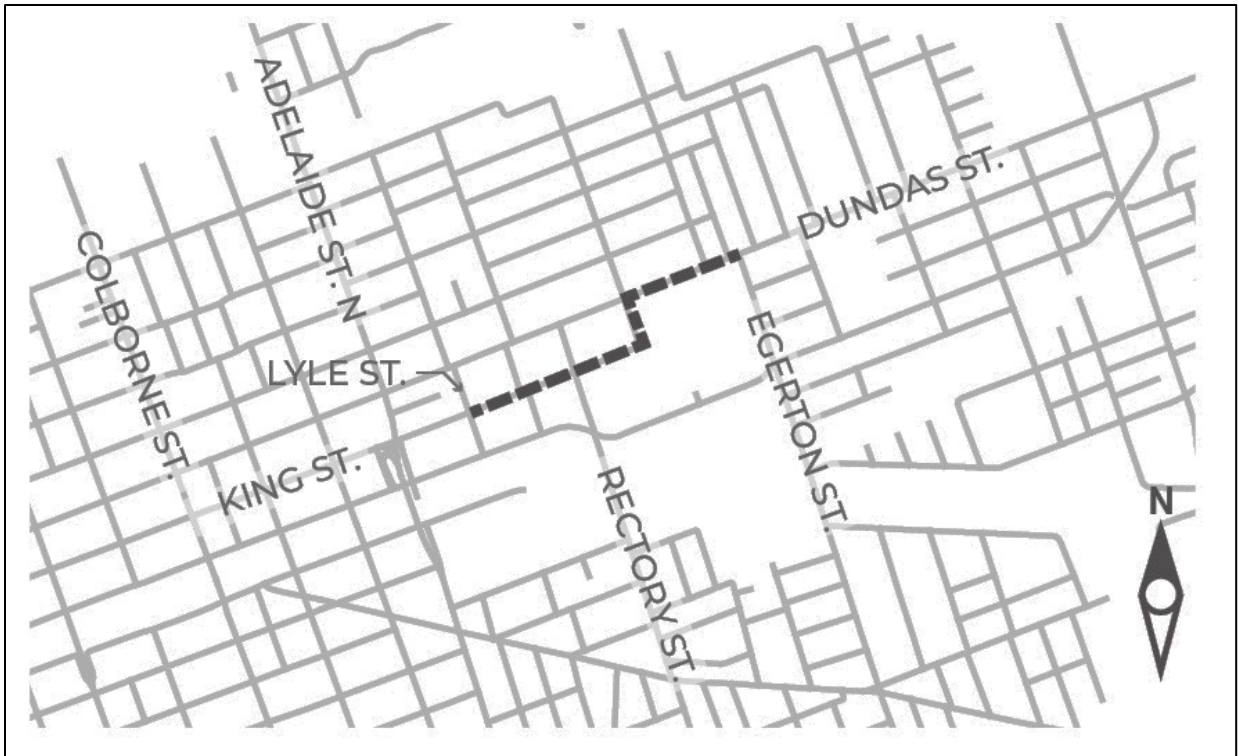


Figure 2: East London Link Phase 2 Construction Limits

The contractor will be permitted to work on King Street, Ontario Street and Dundas Street at any time during construction. However, key restrictions and milestones have been identified in the contract special provisions, such as:

- Dundas Street, Quebec Street and Egerton Street intersections to be complete by September 1, 2023 to allow uninterrupted traffic for the Western Fair
- When working on King Street, only one intersection can be closed at a time.
- Dundas Street from Quebec Street to Egerton Street is largely surface works which the contractor will stage to allow two-way traffic through the construction zone.
- Work within the archaeological monitoring zone will be completed as early in the construction schedule as possible to mitigate delays.
- Substantial completion by December 1, 2023
- Surface asphalt placed June, 2024

2.6 Traffic Mitigations

Temporary road closures will be required for each stage of work, however, local access to properties will be maintained at all times. Temporary access roads and use of alternative accesses to properties may be required and will be coordinated directly with property owners. Pedestrian access through the project area will be maintained at all times.

York Street will serve as the primary detour route during construction, and temporary detour signage will be installed to assist motorists navigating the area.

Work in the vicinity of the Western Fair Grounds is planned to be completed by the end of summer to minimize impacts to the fall event schedule and access will be maintained for other routine programming and special events throughout the project

Staff will be closely coordinating this project and its traffic impacts with other construction projects planned for 2022 and 2023, including the East London Link Phase 1 spring carry-over work, Adelaide Grade Separation project, Quebec Street Phase 1 project, and Lyle Street and Elizabeth Street projects.

2.6 Public Engagement and Consultation

To share the near-final designs and information on project status and next steps, the City of London hosted a virtual Public Information Centre (PIC) and two-week consultation period between September 23, 2022 and October 7, 2022, with subsequent “Transit Tuesday” drop-in sessions available for the public to discuss the project in-person with the project team on Tuesday, September 27, 2022 and Tuesday, October 4, 2022, at the Major Project’s office. In addition, City representatives hosted an information booth at the Western Fair Farmer’s Market on Sunday, September 25, 2022, which is located along the East London Link Phase 2 area.

This engagement period was an opportunity for property owners, businesses and residents within and immediately bordering the project area to bring forward questions and concerns. It was also a chance for the general public to learn more about the project.

The project team also consulted directly with individual property owners and businesses throughout 2022, including the Western Fair Association, Old East Village BIA, Queens Park, Open Door Christian Fellowship, among many others. The proposed staging of construction was communicated to property and business owners to identify access needs and alternative entry and exit points, and outline potential impacts during construction, including – but not limited to – traffic, waste collection, and noise and vibrations.

The City will continue to issue timely communications and traffic detour information to minimize potential impact to residents and businesses during construction. Some key ways to support this include:

- Devoting dedicated business relations resources to the project, to act as a liaison between the City and individual businesses;
- Maintaining access to buildings and driveways throughout construction or providing alternative arrangements wherever needed; and
- Ensuring Londoners know the area is open for business during construction through targeted, strategic marketing.

3.0 Financial Impact/Considerations

3.1 Procurement Process

Tenders for the East London Link and Infrastructure Improvements Phase 2 project were opened on December 13, 2022. Four contractors submitted tender prices as listed below, excluding HST.

Contractor	Company Name	Tender Price Submitted
1	Bre-Ex Construction Inc	\$16,897,237.39
2	L82 Construction Ltd	\$17,354,502.17
3	CH Excavating (2013)	\$18,634,056.42
4	J-AAR Excavating Limited	\$18,852,979.47

All tenders have been checked by Construction & Infrastructure Services and Archibald, Gray and McKay Engineering Ltd. No mathematical errors were found, and the results of the tendering process indicate a competitive process. The tender was advertised early and for an extended period of time to account for the larger scope of work, with an advanced tender posting notice completed. The tender estimate just prior to tender opening was \$18M excluding HST. This tender estimate also includes values for coordinated City and external utility works; see Source of Financing Appendix A for cost sharing details. All tenders include a contingency allowance of \$2,000,000.

3.2 Consulting Services

Dillon Consulting Limited/AECOM Canada were awarded the detailed design of the East London Link and Infrastructure Improvements project by Council on August 25, 2020, as a partnership with Archibald, Gray, and McKay Engineering Ltd as a sub-consultant. The East London Link in terms of Consultant lead was broken up into four design phases as follows including who was to lead that respective section:

1. Phase 1 – King Street from Wellington Street to Lyle Street – AECOM.
2. Phase 2 – King Street from Lyle Street to Ontario Street, Ontario Street from King Street to Dundas Street, and Dundas Street from Ontario Street to Egerton Street – AGM (sub-consultant under Dillon).
3. Phase 3 – Dundas Street from Egerton to Highbury Avenue North, Highbury Avenue North from Dundas Street to Oxford Street East – Dillon.
4. Phase 4 – Oxford Street East from Highbury Avenue North to Second Street, including an internal transit hub at Fanshawe College – AECOM.

Due to the Consultant's knowledge and positive performance on the detailed design, a proposal for contract administration and construction observation was requested and the scope of fees were negotiated.

Staff have reviewed the fee submission for construction administration and construction observation of this project, including the time allocated to each project task, along with hourly rates provided by each of the Consultant's staff members. That review of assigned personnel, time per project task, and hourly rates was consistent with other rapid transit and infrastructure renewal program assignments of similar scope, noting that this assignment is relatively greater in length and incorporates unique transit infrastructure elements including two (2) transit station platforms and related electrical and Information Technology Systems (ITS) support. It is also anticipated that greater consultant effort will be required to progress construction due to a number of site-specific issues, including property/parking access, multiple simultaneous construction work areas, extended working hours, utility reconstruction, etc. Fees also include a provision to support proper management of on-site and excess soils as required under the new Ontario Regulation 406/19.

The continued use of Archibald, Gray and McKay Engineering Ltd. on this project for resident inspection and contract administration and construction observation 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 overarching East London Link consulting assignment agreement is between Dillon Consulting Limited and the City, with Archibald, Gray and McKay Engineering Ltd. acting as a sub-consultant under Dillon Consulting Limited. As Archibald, Gray and McKay Engineering Ltd. is a pre-approved firm and the consulting firm that "satisfactorily partially completed a project", award of this work directly to Archibald, Gray and McKay Engineering Ltd. is consistent with the requirements under Section 15 of the Procurements of Goods and Services Policy.

In accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy, civic administration is recommending that Archibald, Gray and McKay Engineering Ltd. be authorized to carry out the remainder of engineering services, as construction administrators, and complete this project for a fee estimate of \$1,501,150, excluding HST. These fees are associated with the construction contract administration and resident inspection services to ensure that the City receives the product specified and associated value. The approval of this work will bring the total engineering services to \$9,180,258 excluding HST, as of August 2020.

3.3 Operating Budget Impacts

This phase of the project will revitalize King Street, Ontario Street and Dundas Street within the proposed right-of-way resulting in the potential for marginal annual operating budget impacts to transportation, and parks operations. No water operational cost increases are expected. The following table summarizes anticipated additional increases from East London Link Phase 2:

SERVICE AREA	RATIONALE	ANNUAL OPERATIONAL COST INCREASE
Transportation Operations	Additional 1km of lane summer and winter maintenance	\$10,000
Parks Operations	Additional Planters and Streetscape enhancements	\$36,000

The new bus shelters for the East London Link will follow a separate procurement process which is currently underway. More detailed information on the operational budget impact of the shelters will come through that process.

Any property tax supported operational budget impacts will be addressed as part of the annual assessment growth process where appropriate, while the additional Water, Sewer Engineering, and Stormwater Engineering costs will be addressed in future budget processes.

Conclusion

Civic Administration has reviewed the tender bids and recommends Bre-Ex Construction Inc. be awarded the construction contract for East London Link and Municipal Infrastructure Improvements Phase 2 project at the submitted tender price of \$16,897,237.39.

Archibald, Gray and McKay Engineering Ltd. has demonstrated an understanding of the City's requirements for this project, and it is recommended that this firm continue as the consulting engineer for the purpose of contract administration and resident supervision services, as it is in the best financial and technical interests of the City. The contract administration assignment is valued at an upset amount of \$1,501,150, excluding HST.

Prepared by: Ted Koza, P.Eng., Division Manager, Major Projects

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

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

Appendix A – Sources of Financing report

Appendix "A"

#23003

January 10, 2022
(Award Contract)

Chair and Members
Civic Works Committee

RE: Contract Award: Tender No. 2022-238
East London Link and Municipal Infrastructure Improvements Phase 2
(Subledger RD220004)
Capital Project ES241422 - Infrastructure Renewal Program - Sanitary Sewer
Capital Project ES254022 - Infrastructure Renewal Program - Stormwater Sewers and Treatment
Capital Project EW376523 - Infrastructure Renewal Program - Watermains
Capital Project RT1430-3A - East London Link - Construction Rapid Transit
Capital Project RT1430-3D - East London Link - Stops Rapid Transit
Capital Project RT1430-3C - East London Link - TIMMS Rapid Transit
Bre-Ex Construction Inc. - \$16,897,237.39 (excluding HST)
Archibald, Gray and McKay Engineering Ltd. - \$1,501,150.00 (excluding HST)

Finance Supports Report on the Sources of Financing:

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

Estimated Expenditures	Approved Budget	Revised Budget	Committed To Date	This Submission	Balance for Future Work
ES241422 - Infrastructure Renewal Program - Sanitary Sewer					
Engineering	2,000,000	2,000,000	963,093	66,602	970,305
Construction	10,409,529	10,409,529	1,358,611	749,202	8,301,716
City Related Expenses	25,000	25,000	630	0	24,370
ES241422 Total	12,434,529	12,434,529	2,322,334	815,804	9,296,391
ES254022 - Infrastructure Renewal Program - Stormwater Sewers and Treatment					
Engineering	2,000,000	2,000,000	723,438	123,276	1,153,286
Construction	10,334,529	10,334,529	8,917,644	1,388,246	28,639
City Related Expenses	100,000	100,000	630	0	99,370
ES254022 Total	12,434,529	12,434,529	9,641,712	1,511,522	1,281,295
EW376523 - Infrastructure Renewal Program - Watermains					
Engineering	2,500,000	2,500,000	0	239,829	2,260,171
Construction	15,787,375	15,787,375	0	2,699,442	13,087,933
EW376523 Total	18,287,375	18,287,375	0	2,939,271	15,348,104
RT1430-3A - East London Link - Construction Rapid Transit					
Engineering	7,195,778	7,195,778	4,657,631	867,355	1,670,792
Engineering (Utilities Share)(note 3 and 4)	0	80,762	0	80,762	0
Construction	46,223,169	46,223,169	12,556,246	9,765,227	23,901,696
Construction (Utilities Share)(note 3 and 4)	0	907,770	0	907,770	0
Utilities	18,704,000	18,704,000	1,592,637	1,228,161	15,883,202
City Related Expenses	2,415,000	2,415,000	8,238	0	2,406,762
RT1430-3A Total	74,537,947	75,526,479	18,814,752	12,849,275	43,862,452
RT1430-3D - East London Link - Stops Rapid Transit					
Engineering	297,851	297,851	264,515	34,371	-1,035
Construction	8,623,149	8,623,149	356,435	386,240	7,880,474
RT1430-3D Total	8,921,000	8,921,000	620,950	420,611	7,879,439
RT1430-3C - East London Link - TIMMS Rapid Transit					
Engineering	100,000	100,000	19,542	13,747	66,711
Construction	3,650,000	3,650,000	268,479	154,573	3,226,948
RT1430-3C Total	3,750,000	3,750,000	288,021	168,320	3,293,659
Total Expenditures	\$130,365,380	\$131,353,912	\$31,687,769	\$18,704,803	\$80,961,340

Appendix "A"

#23003

January 10, 2022
(Award Contract)

Chair and Members
Civic Works Committee

RE: Contract Award: Tender No. 2022-238
East London Link and Municipal Infrastructure Improvements Phase 2
(Subledger RD220004)

Sources of Financing	Approved Budget	Revised Budget	Committed To Date	This Submission	Balance for Future Work
ES241422 - Infrastructure Renewal Program - Sanitary Sewer					
Capital Sewer Rates	7,934,529	7,934,529	2,322,334	815,804	4,796,391
Drawdown from Sewage Works Renewal Reserve Fund	2,250,000	2,250,000	0	0	2,250,000
Canada Community-Building Fund	2,250,000	2,250,000	0	0	2,250,000
ES241422 Total	12,434,529	12,434,529	2,322,334	815,804	9,296,391
ES254022 - Infrastructure Renewal Program - Stormwater Sewers and Treatment					
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	6,122,044	1,511,522	1,281,295
Canada Community-Building Fund	2,250,000	2,250,000	2,250,000	0	0
ES254022 Total	12,434,529	12,434,529	9,641,712	1,511,522	1,281,295
EW376523 - Infrastructure Renewal Program - Watermains					
Capital Water Rates	12,193,444	12,193,444	0	2,939,271	9,254,173
Drawdown from Water Works Renewal Reserve Fund	4,668,931	4,668,931	0	0	4,668,931
Canada Community-Building Fund	1,425,000	1,425,000	0	0	1,425,000
EW376523 Total	18,287,375	18,287,375	0	2,939,271	15,348,104
RT1430-3A - East London Link - Construction Rapid Transit					
Capital Levy	1,255,242	1,255,242	284,924	206,533	763,785
Public Transit Infrastructure Stream (PTIS) - Federal Funding	28,834,292	28,834,292	6,545,014	4,744,297	17,544,981
Public Transit Infrastructure Stream (PTIS) - Provincial Funding	24,026,173	24,026,173	5,453,632	3,953,186	14,619,355
Drawdown from City Services - Roads Reserve Fund (Development Charges) (note 2)	8,970,022	8,970,022	4,078,964	2,956,727	1,934,331
Debt Quota (Serviced through City Services - Roads Reserve Fund (Development Charges)) (note 1 and 2)	9,000,000	9,000,000	0	0	9,000,000
Other Contributions (note 3)	2,452,218	3,440,750	2,452,218	988,532	0
RT1430-3A Total	74,537,947	75,526,479	18,814,752	12,849,275	43,862,452
RT1430-3D - East London Link - Stops Rapid Transit					
Capital Levy	1,356,162	1,356,162	94,397	63,941	1,197,824
Public Transit Infrastructure Stream (PTIS) - Federal Funding	3,568,400	3,568,400	248,380	168,244	3,151,776
Public Transit Infrastructure Stream (PTIS) - Provincial Funding	2,973,369	2,973,369	206,962	140,190	2,626,217
Drawdown from City Services - Transit Reserve Fund (Development Charges) (note 2)	1,023,069	1,023,069	71,211	48,236	903,622
RT1430-3D Total	8,921,000	8,921,000	620,950	420,611	7,879,439
RT1430-3C - East London Link - TIMMS Rapid Transit					
Capital Levy	65,008	65,008	4,993	2,918	57,097
Public Transit Infrastructure Stream (PTIS) - Federal Funding	1,500,000	1,500,000	115,208	67,328	1,317,464
Public Transit Infrastructure Stream (PTIS) - Provincial Funding	1,249,875	1,249,875	95,997	56,101	1,097,777
Drawdown from City Services - Roads Reserve Fund (Development Charges) (note 2)	935,117	935,117	71,822	41,973	821,322
RT1430-3C Total	3,750,000	3,750,000	288,021	168,320	3,293,659
Total Financing	\$130,365,380	\$131,353,912	\$31,687,769	\$18,704,803	\$80,961,340

Appendix "A"

#23003

January 10, 2022
(Award Contract)

Chair and Members
Civic Works Committee

RE: Contract Award: Tender No. 2022-238
East London Link and Municipal Infrastructure Improvements Phase 2
(Subledger RD220004)

Financial Note (Engineering)	ES241422	ES254022	EW376523	RT1430-3A	RT1430-3A Utilities
Contract Price	\$65,450	\$121,143	\$235,681	\$852,353	\$98,475
Add: HST @13%	8,509	15,749	30,639	110,806	12,802
Total Contract Price Including Taxes	73,959	136,892	266,320	963,159	111,277
Less: HST Rebate	-7,357	-13,616	-26,491	-95,804	-11,069
Net Contract Price	<u>\$66,602</u>	<u>\$123,276</u>	<u>\$239,829</u>	<u>\$867,355</u>	<u>\$100,208</u>

	Start				
	London Hydro	Communications	Bell Canada	Rogers	Telus
Contract Price	\$39,480	\$1,201	\$6,305	\$32,125	\$1,651
Add: HST @13%	5,132	156	820	4,176	215
Total Contract Price Including Taxes	44,612	1,357	7,125	36,301	1,866
Less: HST Rebate	-5,132	-156	-820	-4,176	-215
Net Contract Price	<u>\$39,480</u>	<u>\$1,201</u>	<u>\$6,305</u>	<u>\$32,125</u>	<u>\$1,651</u>

	RT1430-3D	RT1430-3C	Total Engineering
Contract Price	\$33,776	\$13,510	\$1,501,150
Add: HST @13%	4,391	1,756	195,151
Total Contract Price Including Taxes	38,167	15,266	1,696,301
Less: HST Rebate	-3,796	-1,519	-170,151
Net Contract Price	<u>\$34,371</u>	<u>\$13,747</u>	<u>\$1,526,150</u>

Financial Note (Construction):	ES241422	ES254022	EW376523	RT1430-3A	RT1430-3A Utilities
Contract Price	\$736,244	\$1,364,235	\$2,652,754	\$9,596,332	\$1,108,444
Add: HST @13%	95,712	177,351	344,858	1,247,523	144,098
Total Contract Price Including Taxes	831,956	1,541,586	2,997,612	10,843,855	1,252,542
Less: HST Rebate	-82,754	-153,340	-298,170	-1,078,628	-124,589
Net Contract Price	<u>\$749,202</u>	<u>\$1,388,246</u>	<u>\$2,699,442</u>	<u>\$9,765,227</u>	<u>\$1,127,953</u>

	Start				
	London Hydro	Communications	Bell Canada	Rogers	Telus
Contract Price	\$444,343	\$13,385	\$70,373	\$361,268	\$18,401
Add: HST @13%	57,765	1,740	9,148	46,965	2,392
Total Contract Price Including Taxes	502,108	15,125	79,521	408,233	20,793
Less: HST Rebate	-57,765	-1,740	-9,148	-46,965	-2,392
Net Contract Price	<u>\$444,343</u>	<u>\$13,385</u>	<u>\$70,373</u>	<u>\$361,268</u>	<u>\$18,401</u>

	RT1430-3D	RT1430-3C	Total Construction
Contract Price	\$379,559	\$151,899	\$16,897,237
Add: HST @13%	49,343	19,747	2,196,642
Total Contract Price Including Taxes	428,902	171,646	19,093,879
Less: HST Rebate	-42,662	-17,073	-1,915,226
Net Contract Price	<u>\$386,240</u>	<u>\$154,573</u>	<u>\$17,178,653</u>

	Other Works (including utilities)		
Financial Note Total Award:	Rapid Transit Total	Total	Total
Contract Price	\$11,027,429	\$7,370,958	\$18,398,387
Add: HST @13%	1,433,566	958,227	2,391,793
Total Contract Price Including Taxes	12,460,995	8,329,185	20,790,180
Less: HST Rebate	-1,239,482	-845,895	-2,085,377
Net Contract Price	<u>\$11,221,513</u>	<u>\$7,483,290</u>	<u>\$18,704,803</u>

Note 1: 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 RT1430-3A - East London Link - Construction Rapid Transit for the net amount to be debentured of \$9,000,000.00.

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: Negotiations with London Hydro, Start Communications, Bell Canada, Rogers Communication, and Telus confirming their contributions towards this project are ongoing. The cost allocations among the projects will be adjusted accordingly when negotiations are complete. The expenditures have increased to accommodate their anticipated contributions.

Note 4: There will be annual operating costs of \$10,000 to Transportation Operations and \$36,000 to Parks Operations.

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: Updates: Blue Box Transition and Next Steps

Date: January 10, 2023

Recommendation

That, on the recommendation of the Deputy City Manager, Environment & Infrastructure, this report **BE RECEIVED** for information.

Executive Summary

On June 3, 2021, the Province of Ontario adopted Ontario Regulation 391/21: Blue Box, which stipulated the transition timeline and schedule, designated materials, eligible and non-eligible sources, management targets, and detailed the transition of the Blue Box Program to producers. Subsequently, this Regulation was amended with Ontario Regulation 349/22: Blue Box on April 14, 2022. The transition to Extended Producer Responsibility (EPR) will occur in two phases in Ontario:

- The transition phase: July 1, 2023 - December 31, 2025; and
- The post-transition phase: January 1, 2026 onwards.

Blue Box transition from the existing shared responsibility model into a producer-led responsibility model, often referred to as 'full' or 'extended producer responsibility' will begin in London and area starting July 1, 2023 along with several other areas of Ontario.

City staff and Municipal Council have been very active over the years with respect to moving Blue Box recycling to EPR. The most recent action by Municipal Council was passed on July 5, 2022. To be able to negotiate with PROs on behalf of Municipal Council, the Deputy City Manager, Environment & Infrastructure was delegated authority to respond to requests for proposals, negotiate and enter into new or amending City of London agreements necessary to ensure the City's ability to continue recycling operations from July 1, 2023 to December 31, 2025 and post-transition phase (2026 and beyond).

The table below highlights key dates and major activities to complete the transition work. From a public perspective, there will be no change to service delivery starting July 1, 2023. Subject to final discussions and negotiations, changes could occur in the fall that coincide with the implementation of Green Bin and move to bi-weekly garbage pickup.

2023 – Key Dates	Major Activity
January 10	Update Report to CWC
January to May	Complete discussions and negotiations
April 12	Possible Update Report to CWC, if necessary
May/June	Report to CWC/Approval from Council
July 1	New arrangements in place

The implementation of the Blue Box transition will eventually save London taxpayers money. Preliminary estimates suggest that between \$500,000 and eventually more than \$4 million per year in 2026 will be saved. The actual amount will be determined in the negotiations with industry (e.g., what happens with existing contracts, how will costs be paid, how will non-eligible materials be handled, etc.).

Linkage to the Corporate Strategic Plan

Municipal Council continues to recognize the importance of waste management and the need for a more sustainable and resilient city in the development of its 2019-2023 Strategic Plan for the City of London. Specifically, London's efforts in waste management address the three following areas of focus: Building a Sustainable City; Growing our Economy; and Leading in Public Service.

On April 23, 2019, the following was approved by Municipal Council with respect to climate change:

Therefore, a climate emergency be declared by the City of London for the purposes of naming, framing, and deepening our commitment to protecting our economy, our eco systems, and our community from climate change.

On April 12, 2022, Municipal Council approved the Climate Emergency Action Plan which includes Area of Focus 5, Transforming Consumption and Waste as Part of the Circular Economy.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Relevant reports that can be found at www.london.ca under Council meetings include:

- Updates: Blue Box Transition and Next Steps (June 21, 2022 meeting of Civic Works Committee (CWC), Item #2.4)
- Comments on Environmental Registry of Ontario (ERO): Proposed Blue Box Regulation (November 17, 2020 meeting of CWC, Item #2.1)
- Contract for the Operation of the City's Materials Recovery Facility – Single Source (July 14, 2020 meeting of CWC, Item #2.3)
- Response to the Association of Municipalities of Ontario (AMO) Regarding Transition of Recycling (May 26, 2020 meeting of CWC, Item #2.4)
- Operation of the City's Materials Recovery Facility: Next Steps in the Transition to Industry Responsibility for Recycling Services (April 15, 2020 meeting of CWC, Item #2.8)
- Award of Contract (Request for Proposals 19-02) – Recycling Collection (City-wide) and Garbage and Yard Waste Collection in a Portion of London (August 12, 2019 meeting of CWC, Item #2.4)

1.2 Background

The *Resource Recovery and Circular Economy Act, 2016* and the *Waste Diversion Transition Act, 2016*, authorize the transition of the financial and operational responsibility for managing designated packaging, paper and packaging-like products from municipalities to the producers of such products and packaging. This transition changes the existing shared responsibility model for the Blue Box Program into a producer-led responsibility model, often referred to as 'full' or 'extended producer responsibility'.

On June 3, 2021, the Province of Ontario adopted Ontario Regulation 391/21: Blue Box, which stipulated the transition timeline and schedule, designated materials, eligible and non-eligible sources, management targets, and detailed the transition of the Blue Box Program to producers. Subsequently, this Regulation was amended with Ontario Regulation 349/22: Blue Box on April 14, 2022.

Transition Phase and Post-Transition Phase

As a municipality transitions its Blue Box Program, the majority of financial and operational responsibility for the end-of-life management of their eligible paper, packaging, and packaging-like materials (e.g., aluminum foil, paper bag, beverage cup, etc.) designated materials will transition to producers. Currently, producers pay approximately 50 per cent of the cost of London's recycling system. In the future this amount will be over 90 per cent of the costs of the existing system.

The transition to EPR will occur in two phases:

- The transition phase: July 1, 2023 - December 31, 2025; and
- The post-transition phase: January 1, 2026 onwards.

City of London and neighbouring municipalities transition on July 1, 2023. During the transition phase, approximately 30 per cent of Ontario municipalities will transition in each of the three transition years. The Regulation states that current municipal Blue Box Programs and service levels must be maintained throughout the transition phase. Program changes are only permitted once producers have complete control over all programs across Ontario and the province-wide system is operational in the post-transition phase (starting January 1, 2026).

Producer Responsibility Organizations

Obligated producers of designated packaging, paper and packaging-like products can retain the services of a Producer Responsibility Organization (PRO) to discharge their obligations under the Regulation, including collection, processing, promotion and education, and achieving management targets. PROs will decide how to meet their regulatory obligations by either tendering or negotiating for service provision with municipalities or private firms. To be recognized as a producer service organization, a PRO must represent at least one producer and be registered with the Resource Productivity and Recovery Authority (RPPRA). The following three PROs are currently registered with RPPRA; Canadian Beverage Container Recycling Association (CBCRA), Circular Materials Ontario (CMO) and Ryse Solutions Ontario Inc.

CMO, due to the number of producers within its membership, is also the PRO responsible for establishing the common collection system for Ontario (e.g., sets the rules and requirements for implementing the common collection system including the choices of how municipalities may or may not be involved).

1.3 Summary of Current Municipal Council Direction

City staff and Municipal Council have been very active over the years with respect to moving recycling to a model known as "extended producer responsibility" (with variations on the model title such as producer responsibility or individual producer responsibility). The most recent action by Municipal Council was on July 5, 2022 (Appendix A) and summarized as follows:

- The Deputy City Manager, Environment & Infrastructure, is authorized to respond to requests for proposals, negotiate and enter into any new service agreements or amending existing service agreements with any PRO registered with the RPPRA;
- The Deputy City Manager, Environment & Infrastructure and/or designate is directed to enter into discussions with the PRO responsible for London and area and/or their designate, on their potential interest in using any of the City's recycling related infrastructure and assets in particular the City-owned Material Recovery Facility (MRF); and
- Civic Administration directed to report back at a future CWC with the outcome of negotiations and any executed contract(s) and on the next steps for City's Blue Box related infrastructure and assets in particular the City-owned MRF.

Prior to the above, the previous action by Municipal Council was on June 2, 2020 (Appendix A) and summarized as follows:

- examine opportunities of working with producers (industry) during the transition period (e.g., fee for services basis for recycling such as administration, education and awareness, contract management, monitoring and compliance);
- continue to take an active role in the development of the regulatory environment and implementation plans of the transition process through the Municipal 3Rs Collaborative (M3RCs) which is comprised of the Association of Municipalities of Ontario (AMO), Regional Public Works Commissioners of Ontario (RPWCO), Municipal Waste Association (MWA) and the City of Toronto;
- ensure that producers (industry) are aware that an existing competitively awarded contract to collect recyclables is currently in place in London, and that opportunities to use the existing contractor (Miller Waste Systems) with mutually agreeable transition contract terms should be considered; and
- ensure that producers are aware that opportunities to increase waste diversion, maximize resource recovery and optimize recycling system operations can be examined through the London Waste to Resources Innovation Centre and its business and academic collaborators for the benefit of all in Ontario and elsewhere.

1.4 Current City Staff Involvement

City staff continue to be grateful for the work undertaken and shared by the AMO, RPWCO, MWA and the City of Toronto acting as one entity called the M3RCs. City staff are active members of M3RCs via RPWCO including being co-chair of the RPWCO Waste Subcommittee. City staff also participate with MWA. London Municipal Council has a representative on the AMO Board of Directors.

City staff are also very involved with the Ontario Waste Management Association (OWMA) and continue to be grateful for the work undertaken and shared on behalf of the membership which represents over 60 municipalities and 190 companies and organizations in the private sectors that manage 85% of Ontario's waste streams.

Staff continue to be active members of the Continuous Improvement Fund (CIF) and M3RCs Transition Working Group and several of its five (5) subcommittees, including: Contracts & Fair Compensation, Change Management & Communications, Data Monitoring & Reporting and Post Collection (processing). With municipal representation from across the province, the Working Group and subcommittees have provided a very useful platform for information-sharing and the creation of transition supports, such as promotion and education materials, potential terms and conditions for commercial agreements, field studies and aggregated data analysis and reports.

The City of Ottawa and the City of Toronto are also transitioning their Blue Box Programs to producers on July 1, 2023. Including the City of London these represent the three largest municipalities in the first transition group. A working group between these three cities is being used to share information, lessons learned, and to determine areas of alignment.

1.5 Recent Interactions with Producer Responsibility Organizations (PROs)

City staff have submitted information, responded to questions and/or held discussions directly or indirectly with PROs to provide an overview of London's Blue Box (generally curbside collection) and Blue Cart Program (generally multi-residential, high-rise buildings) to educate them on program elements and the relationship with other services (e.g., multi-materials drop off depots known as EnviroDepots).

City staff have expressed the desire to discuss the City of London being a potential service administrator for some or all aspects of the Blue Box and Blue Cart Program

during the transition years, subject to terms and conditions that can be mutually agreed upon. In addition, the role of the City-owned Material Recovery Facility (MRF) located on Manning Drive will be an important part of the discussions and negotiations.

Given the time constraints of transitioning London's Blue Box and Blue Cart Program by July 1, 2023, PROs may have challenges in procuring services and have enough or access to assets to service a city the size of London along with a number of neighbouring municipalities. London is well positioned to help a PRO during the transition period as it has been providing these services for 30 years.

CMO posted agreements for transitioning municipalities on its website in September 2022. These consisted of a Master Service Agreement, Statements of Work and a Pricing Explanatory note. Adjustments and clarifications to these documents occurred in the Fall. CMO also posted requests for proposals for Receiving Facilities (for recyclables to be consolidated) and Processing Facilities (for recyclables to be prepared for markets).

2.0 Discussion and Considerations

2.1 City of London's Role During the Transition Phase and Current Status

While producers are required to maintain all existing Blue Box service levels currently being provided to eligible sources throughout the transition phase, producers have complete autonomy to determine which service provider will manage the designated materials on their behalf, including contracting with a municipality and/or a private waste management firm. Municipalities do not have the option to choose which PRO or PROs will take over management responsibilities for delivering Blue Box recycling services to eligible sources. CMO is the PRO that is undertaking negotiations in London and area.

To ensure a smooth transition and limit impacts to residents at the curb, City staff are in discussions with CMO and Miller Waste Systems for the continued provision of all Blue Box management activities and services on their behalf, where logistically and financially appropriate, during the transition phase and post transition phases.

Miller Waste Systems was recently awarded Receiving Facility status for London's MRF by CMO for approximately 35,000 tonnes of recyclable material that are currently processed. The term of the agreement is for up to 15 years. This means that this City-owned asset will be part of the future recycling system serving London and others in southwestern Ontario. Based on this decision by CMO, the role of London's MRF as a processing facility is a logical next step subject to appropriate terms and conditions. One key goal is to ensure that London's MRF does not become a stranded asset and that the use of the asset is maximized, if possible.

2.2 Preparing to Negotiate Blue Box Related Contract(s)

During commercial negotiations with CMO, City staff anticipate negotiating a contract(s) that encompasses several services, including:

- Uninterrupted curbside collection from existing single-family households and multi-residential buildings currently served by the City (services under contract plus bulk bin cardboard collection by the City). This includes:
 - Opt-in whereby the City of London would sign an agreement with CMO to administer a recycling contract delivered by Miller Waste Systems (the City's current contractor), or
 - Opt-out whereby the City of London would not sign an agreement with CMO, the current recycling contract would be terminated (subject to conditions) and CMO would secure collection services (delivered by Miller Waste Systems);
- The shift from 42 recycling pickups per year to weekly (52 recycling pickups per year) Blue Box curbside service. It is important to note that this may be viewed as a service enhancement and may not be eligible for re-imbursment in the transition

period (July 1, 2023 to December 31, 2025). If CMO does not agree to pay some or all of these additional service costs, the City would be required to do so. Starting January 1, 2026 all costs would be covered by CMO;

- Residential units above commercial locations that are currently served through public space bins (e.g., downtown London);
- Public and parks space collection (i.e., both eligible and non-eligible sources);
- Non-eligible sources such as small businesses, places of worship, shelters, etc. currently collected on designated residential recycling routes. These locations will not be paid by CMO;
- Customer service through Service London, depending on the decision of CMO;
- Promotion and education (e.g., posters, information guides, direct mail, advertising, integration of messaging into waste diversion and other outreach programs, etc.);
- City-owned curbside Blue Boxes; and
- Use of the MRF including possible different arrangements such as leasing, sale of asset, etc. This item is a complex undertaking that will be driven by CMO requirements through a combination of procurement practices and service requirements to meet producer's needs today (transition) and post transition. Miller Waste Systems wishes to be engaged in these discussions and negotiations.

Staff have been gathering contractual and in-house service data to support negotiations with CMO. Information gathered includes but is not limited to the current Blue Box contract details, financial impacts, staff impacts, service level details, budget implications, information and technology impacts, integration with and/or impact to other service areas, and terms and conditions.

2.3 Management of Recyclables from Non-Eligible Sources

Both during transition and after transition there are locations that producers are not responsible for with respect to the management of recyclables. These non-eligible sources include municipal facilities such as community centres, libraries, arenas, and civic centres, non-residential locations such as shelters and places of worship, and industrial, commercial and institutional establishments.

The City services approximately 600 to 700 non-eligible customers comprised of small businesses on designated residential recycling routes, City facilities, place of worship, shelters, charities. As these locations are not designated in the Regulation, the City will not receive financial compensation for the continued provision of recycling collection services to these non-eligible sources.

The management of these materials will be discussed during negotiations with PROs to determine whether the economies of scale can be leveraged as part of any negotiations.

2.4 Timeframe

The table below highlights key dates and major activities to complete the Blue Box transition work. From a public perspective, there will be no change to service delivery starting July 1, 2023. Subject to final discussions and negotiations, changes could occur in the fall that coincide with the implementation of Green Bin and move to bi-weekly, same day garbage pickup.

2023 – Key Dates	Major Activity
January 10	Update Report to CWC
January to May	Complete discussions and negotiations
April 12	Possible Update Report to CWC, if necessary
May/June	Report to CWC/Approval from Council
July 1	New arrangements in place

3.0 Financial Impact/Considerations

The implementation of the Blue Box transition will eventually save London taxpayers money. Transitioning the costs and operating responsibility of the recycling program away from municipal taxpayers by making the producers of products and packaging responsible for costs will mean savings. Preliminary estimates suggest that between \$500,000 and eventually more than \$4 million per year (in 2026) will be saved.

The actual amount will be determined in the negotiations with industry and how the transition process unfolds (e.g., what happens with existing contracts, how will costs be paid, what conditions will be part of future agreements, how inflations will be handled, etc.). The July 1, 2023 start date means that additional payments from industry in 2023 will be about half of a normal year. These details will be provided in a future CWC report later in 2023.

Conclusion

Based on past reporting to CWC, discussion and direction from Municipal Council, City staff are prepared for the next steps in the Blue Box transition process as per the *Resource Recovery and Circular Economy Act, 2016*, the *Waste Diversion Transition Act, 2016* and Ontario Regulations 391/21: Blue Box and 349/22: Blue Box which stipulates the transition timeline and schedule, designated materials, eligible and non-eligible sources, management targets, and the detailed the transition of the Blue Box Program to producers.

The City of London will transition in the first group of municipalities starting July 1, 2023. In the next year, a number of discussions and negotiations will occur with the PRO or PROs serving London and area to ensure that it is a smooth transition for the residents of London.

Prepared by: **Jessica Favalaro, B.Sc.**
Manager, Waste Diversion Programs, Waste Management

Kevin Springer
Manager, Waste Collection

Mike Losee, B.Sc.
Division Manager, Waste Management

Prepared and Submitted by: **Jay Stanford, M.A., M.P.A.**
Director, Climate Change, Environment & Waste Management

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

Appendix A Recent Municipal Council Direction with Respect to Transitioning the Blue Box (Blue Cart) Program

APPENDIX A

Recent Municipal Council Direction with Respect to Transitioning the Blue Box (Blue Cart) Program

Council direction July 5, 2022

- a) the proposed by-law attached as Appendix “A” being “A by-law to authorize the Deputy City Manager, Environment & Infrastructure to respond to requests for proposals, negotiate and enter into any new service agreements or amending existing City of London service agreements with any Producer Responsibility Organization(s) (“PRO”) registered with the Resource Productivity Recovery Authority, and/or their designate”, **BE INTRODUCED** at the Municipal Council meeting to be held on July 5, 2022.
- b) Civic Administration **BE DIRECTED** to report back at a future Civic Works Committee with the outcome of negotiations and any executed contract(s) that occur with registered Producer Responsibility Organizations and/or their designate pursuant to a) above;
- c) the Deputy City Manager, Environment & Infrastructure and/or designate **BE DIRECTED** to enter into discussions with the Producer Responsibility Organization responsible for London and area and/or their designate, on their potential interest in using any of the City of London’s recycling related infrastructure and assets in particular the City-owned Material Recovery Facility during the transition phase (July 1, 2023 to December 31, 2025) and post-transition phase (2026 and beyond) for operational efficiency purposes, economic opportunities, job creation opportunities, and how costs associated with existing capital and new capital investment would be paid, leased and/or shared; and
- d) Civic Administration **BE DIRECTED** to report back at a future Civic Works Committee with the next steps for City of London’s Blue Box related infrastructure and assets in particular the City-owned Material Recovery pursuant to c) above.

Council direction June 2, 2022

That on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions **BE TAKEN** with respect to a request by the Association of Municipalities of Ontario (AMO) for details on recycling transition:

- a) The Mayor **BE AUTHORIZED** to advise the Ontario Ministry of the Environment, Conservation and Parks (MECP) and the Association of Municipalities of Ontario (AMO) that the Corporation of the City of London would like to:
 - i. transition the collection of recyclables to full producer responsibility on January 1, 2023, and;
 - ii. examine opportunities of working with producers (industry) during the transition period (e.g., fee for services basis for recycling such as administration, education and awareness, contract management, monitoring and compliance);

It being noted that the Mayor has previously been authorized to advise MECP and AMO that the transition of processing and marketing of recyclables to full producer responsibility could occur on January 1, 2023.

- b) Staff **BE DIRECTED** to undertake the following actions as part of the transition process:
 - i. continue to take an active role in the development of the regulatory environment and implementation plans of the transition process through the Municipal 3Rs Collaborative (M3RCs) which is comprised of the AMO, Regional Public Works Commissioners of Ontario, Municipal Waste Association and the City of Toronto;

- ii. ensure that producers (industry) are aware that an existing competitively awarded contract to collect recyclables is currently in place in London, and that opportunities to use the existing contractor (Miller Waste Systems) with mutually agreeable transition contract terms should be considered from January 1, 2023 to December 21, 2025, it being noted that this would further benefit London taxpayers as early contract termination fees could be reduced;
- iii. ensure that the producers' plan to transition residents, Municipal Elected Officials and City staff to the new system is accountable and transparent and also includes separate contingency plans developed by the City, and;
- iv. ensure that producers are aware that opportunities to increase waste diversion, maximize resource recovery and optimize recycling system operations can be examined through the London Waste to Resources Innovation Centre and its business and academic collaborators for the benefit of all in Ontario and elsewhere.

Request adding to agenda

To Civic Works Committee,

Attention: C. Rahman, Chair,

Re: 2.2 Blue Box Transition and Next Steps

Attached to this email is earlier discussion with J. Stanford, M.A., M.P.A. with a response indicating "Updating to Committee/Council when more details are available!" .

Please see below! I have tried to follow the report on this agenda and don't see anything on "Blooming Blue Box Disaster"

or questions included in email sent .

I would appreciate an answer to the questions raised and whether no impact either way or Provincial actions on changes referred to.

Would appreciate the Committee record the answer in the minutes . Hopefully there is no impact on London program as of the report today!

Bill Brock

----- Forwarded Message -----

From: Stanford, Jay <jstanfor@london.ca>

To: bill brock [REDACTED]

Sent: Tuesday, March 22, 2022 at 02:23:01 p.m. EDT

Subject: RE: [EXTERNAL] Saturday Toronto Star

Hi Bill

Thanks for reaching out. We have been working closely with industry and other municipalities. Several reports to Committee and Council on these matters.

All part of transition planning. We will be updating Committee/Council when more details are known.

Cheers. . . Jay



Jay Stanford, M.A., M.P.A. (he/him)

Director, Climate Change, Environment & Waste Management

Environment & Infrastructure Service Area

City of London

300 Dufferin Ave, P.O. Box 5035 London, Ontario N6A 4L9

P: 519.661.CITY (2489) x 5411 | Cell: 519.851.5423

jstanfor@london.ca | www.london.ca

From: bill brock [REDACTED]
Sent: Tuesday, March 22, 2022 12:20 PM
To: Stanford, Jay <JSTANFOR@London.ca>
Subject: [EXTERNAL] Saturday Toronto Star

Jay,

Toronto Star article "Ontario's looming Blue Box Disaster" on Saturday.

What is impact on London?

Role of regional centre for collection or disposing of ?

Revenue impact on London city costs?

Impact on Londoners?

Bill Brock

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: Neighbourhood Connectivity Plan – Engagement Strategy
January 10, 2022

Recommendation

That on the recommendation of the Deputy City Manager, Environment and Infrastructure the following report on the trial Neighbourhood Connectivity Plan approach to sidewalk engagement **BE RECEIVED** for information and Civic Administration **BE DIRECTED** to continue this trial engagement strategy into 2023.

Executive Summary

New sidewalks are to be installed as part of road reconstruction and underground infrastructure renewal projects in accordance with London Plan policy that requires sidewalks be included on both sides of most streets when construction occurs.

Neighbourhood Connectivity Plans (NCP) establish a guide for the installation of sidewalks in legacy areas of the City with limited sidewalk connectivity. Staff have developed a community engagement strategy to guide communities in thinking holistically about connectivity in their neighbourhood.

This report provides an update on the NCP approach, the outcomes of initial NCP engagement and the process for presenting the first three recommended plans to the community and Council.

Linkage to the Corporate Strategic Plan

The following report supports the 2019-2023 Strategic Plan through the strategic focus area of Building a Sustainable City and Creating a Safe London for Women and Girls. The report identifies strategies for building new neighbourhood infrastructure to support mobility, safety and more livable, sustainable, vibrant communities. The plan also identifies the implementation and enhancement of road safety measures to deliver convenient and connected mobility choices.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- Civic Works Committee – June 19, 2012 – London 2030 Transportation Master Plan
- Planning and Environment Committee – June 13, 2016 – The London Plan
- Civic Works Committee – August 13, 2018 – Complete Streets Design Manual
- Civic Works Committee – September 25, 2018 – Byron South Neighbourhood Sidewalk Connectivity Plan
- Civic Works Committee – February 9, 2021 – New Sidewalks in 2021 Infrastructure Reconstruction Projects
- Civic Works Committee – March 15, 2021 – New Sidewalks in 2021 Infrastructure Reconstruction Projects – Special meeting to hear public delegations

- Civic Works Committee – November 23, 2021 – New Sidewalks in Established Neighbourhoods.

1.2 Background

In keeping with the various policies supporting sidewalk infrastructure, road reconstruction project designs now strive to include sidewalks on both sides of the street unless there are significant constraints, and then, at a sidewalk on at least one side is pursued. In recent years, this has led to debate within communities due a conflict between the goal of providing a safe and accessible mobility network and the desire to avoid neighbourhood impacts to existing trees, parking, and driveways.

History of Sidewalks

The history of sidewalks is very much linked to the history of cars.

Before the 1950s, when many people did not own a family car, neighbourhoods were typically designed in a grid pattern with sidewalks on both sides. This was to make it easy to walk to local destinations and amenities or access them using trolley services. In London, this includes neighbourhoods like the Core, Old South and Old North.

From the 1950s to 1980s, as cars became less expensive and more widely produced, car ownership increased exponentially and this had a huge influence on the way neighbourhoods were designed. Neighbourhoods built in this era were designed with far fewer sidewalks and more meandering streets and wider roads. This is true of most cities across North America during this period.

Starting in the 1980s and 1990s, neighbourhood designs returned to having more regard for walkability and accessibility. Newer subdivisions in London started being planned and built with sidewalks again.

Essentially, changing neighbourhood design approaches over many decades have created a ring of legacy neighbourhoods with limited sidewalk connections located between the historic core of the city and the newer subdivisions around the perimeter.

Policy Context

Walking is an active mode of transportation that has been promoted in London dating back to the early 2000's and reinforced in the Smart Moves 2030 Transportation Master Plan. Planning for sidewalks on both sides of most streets has become standard practice amongst many Ontario municipalities. Multiple policies and principles have been approved by Council over the last decade that align with improving connectivity and safety in the City and its neighbourhoods.

The Active Mobility section of the London Plan recognizes that walking can play a positive role in improving mobility and quality of life as part of a balanced mobility system. Policy 349 specifically speaks to supporting walkability through the inclusion of sidewalks in street design.

349_ To support walkability, sidewalks shall be located on both sides of all streets. An exception to this requirement may be considered in the following instances. In most of the instances a sidewalk will be required on one side of the street.

- 1. Cul-de-sacs or dead-end streets that extend less than 200 metres and do not connect to neighbourhood features or amenities.*
- 2. Portions of streets flanking natural heritage features or areas.*
- 3. Portions of streets flanking a Green Space that includes alternative active mobility infrastructure parallel to the street.*
- 4. Portions of streets that have a designated multi-use pathway within the boulevard on one side.*
- 5. Streets classified as Expressways or Rural Thoroughfares.*

6. *Road reconstruction projects, where the existing conditions such as mature trees, right-of-way widths, or infrastructure would impede sidewalks on both sides of the street.*

In keeping with the London Plan and the various policies supporting sidewalk infrastructure, road reconstruction project designs now strive to introduce sidewalks on both sides of existing streets unless there are specific constraints that may result in it being more desirable to include one side only, or in some cases, no sidewalks. That means, when a street is due for construction and there is no existing sidewalk, it should be rebuilt with a sidewalk on at least one side of the street.

Annual Sidewalk Programs

The City builds new sidewalks based on Mobility Policy 349 under three distinct annual programs.

- Local Road Reconstruction Program (LRRP): Local road projects to reconstruct neighbourhood streets with poor pavement conditions including new curb and sidewalks, replacing asphalt road base and upgrading underground services if needed.
- Infrastructure Lifecycle Renewal Program (ILRP): Projects Driven by either sewer, water or transportation lifecycle renewal needs, these projects could trigger the need for a new sidewalk if one does not exist.
- New Sidewalk Program: The New Sidewalk Program follows a request-based process to identify locations for new sidewalks in existing communities independent of other infrastructure improvements.

It is important the City provide a consistent approach when engaging the public. New sidewalks may be introduced through different programs, but the public only sees the impacts a new sidewalk will have on their street.

Public Response to Sidewalks in Existing Neighbourhoods

Recent years have seen growing debate within communities due to a conflict between the goal of providing a safe and accessible mobility network and the desire to avoid neighbourhood impacts to existing trees, parking, and driveways.

After the 2021 construction program saw a street-by-street debate that resulted in several policy exemptions, Council directed civic administration to develop a Neighbourhood Connectivity Plan (NCP) approach and implement a community engagement strategy on a trial basis in 2022 to inform the 2023 Renew London Construction Program.

Sidewalks in New Subdivisions

This report is focused on addressing the challenges of implementing sidewalks in established neighbourhoods. A retrofit approach is not required in new subdivisions where current standards for draft plans of subdivision provide strong neighbourhood connection and natural walkability. Streets within new subdivisions do not meet the exemptions noted in Policy 349 and sidewalks will be constructed on both sides of all streets.

1.3 Neighbourhood Sidewalk Connectivity Trial

Elevating the sidewalk discussion through an NCP provides a mechanism to look beyond individual streets and identify safe travel paths to key neighbourhood destinations, services, transit and active spaces. By reviewing neighbourhood connectivity holistically, sidewalk options can be considered where they will provide the greatest benefit without automatically assuming sidewalks on every street.

Reviewing all streets in a neighbourhood together provides the ability to identify

strategic sidewalk connections whereas, reviewing individual streets in isolation can lead to gaps in the network resulting from one-off exemptions.

NCP reviews focus on established neighbourhoods within the legacy ring that would benefit most from a connectivity plan. A high-level review identified more than 20 neighbourhood “pockets” that would benefit from an NCP. These connectivity plans would not need to be completed all at once. They could be staggered over several years to align with works planned for the following road reconstruction season or seasons. The New Sidewalk Program could work in tandem with planned roadworks to implement NCPs, once established.

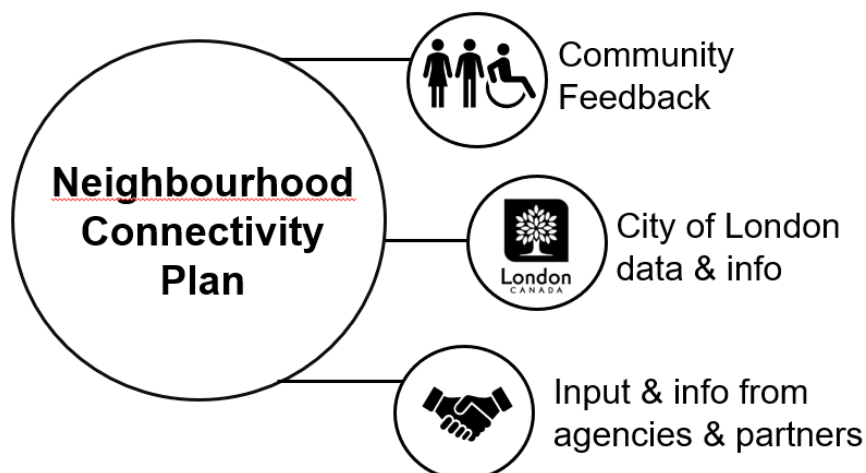
The trial was recommended to start with the following neighbourhoods: Whitehills, Grenfell, and Glen Cairn. Appendix A illustrates neighbourhoods in the legacy ring that would benefit from an NCP.

2.0 Discussion and Considerations

2.1 Gathering NCP Input

The NCP trial engagement strategy was developed to establish a mutual understanding of pedestrian infrastructure requirements and the overall benefits of community connectivity by supporting a community conversation focused on the neighbourhood’s goals and mobility needs, and travel patterns.

To develop each NCP, information was sought from three inputs: community feedback, available City information and data, and input from local agencies and partners.



Community feedback is critical to planning effective NCPs. Input from residents helps staff better understand the community’s priorities around connectivity and pedestrian infrastructure. What are the key destinations in the community, including everything from schools to places of worship to parks and trails to corner stores and coffee shops? How are residents currently using their neighbourhood when it comes to walking, what works and what doesn’t?

The City has information available that can provide insight into better connecting a neighbourhood. NCPs considered data such as traffic and pedestrian volumes and past requests for traffic calming, sidewalks or pedestrian cross-overs. Contributions from the Anti-Racism and Anti-Oppression (ARAO) Office also provided invaluable insight into accessibility, gender and equality considerations.

Various local groups, agencies and experts were contacted to inform the plan. This included talking to local schools, community agencies and school bus providers to understand travel patterns and hot spots. LTC assisted by providing data on local bus stops and volumes and the police offered information regarding safety and collisions.

With input from all three of these areas, the goal is to develop an NCP that is holistic and considers the needs of the entire community from a 360-degree perspective.

2.2 NCP Community Engagement

The goal of community engagement was to make it easy for community members to help shape their Neighbourhood Connectivity Plan. The team developed a toolkit of standardized engagement options to be applied consistently across communities but also tailored to reflect each neighbourhood's characteristics.

The engagement strategy offered a variety of options for residents to provide feedback over the month of June 2022. In an effort to reach as many residents in the neighbourhoods as possible, letters were mailed out to all affected properties and engagement opportunities were promoted on social media.

Project Website

Residents were able to visit a project website for each neighbourhood – ie. getinvolved.london.ca/whitehills – to submit comments, answer survey questions or use a community map tool to provide input. The websites also contained detailed information about the rationale, process and timelines for developing a Neighbourhood Connectivity Plan.

Virtual Webinar

The City hosted a virtual community meeting for each community, via Zoom webinar, to outline the rationale, process and timelines for developing a Neighbourhood Connectivity Plan and how to contribute feedback. The webinars wrapped up with a Q&A session. The recorded presentation was then posted to the NCP getinvolved.london.ca website.

Drop-In Community Consultation

City staff hosted public drop-in sessions at a local library in each community for residents who wanted to drop in and provide feedback in person. Staff were on hand to outline the rationale, process and timelines for developing an NCP, take resident input and answer questions. There were also hard copies of the online survey for those that prefer to submit a handwritten response.

Reach Out to the Project Team

Accessibility was considered in developing the community engagement plan. Anyone requiring the materials and information in an alternate format, was able to reach out to the project team to ensure that as many people as possible could participate.

2.3 NCP Recommendations

A cross-functional working group was assembled to review input gathered through the NCP engagement process drawing upon expertise from Construction Administration, Transportation Planning & Design, the City's Active Transportation Manager, Communications, and the ARAO Office. The working group considered the distinct characteristics of each neighbourhood to identify gaps in connectivity that warrant new sidewalks. The group also reviewed other infrastructure options to aid in safe, active mobility and respond to things heard from the community – such as pedestrian crossings, traffic calming measures, pathway extensions or four-way stops.

Applying a Climate Emergency Action Plan lens to NCPs also supports reconstruction of streets that are missing pedestrian amenities as a cost-effective approach to enable sustainable mobility choices. Improving pedestrian connectivity is another way to promote sustainable modes of travel and counteract the vehicle-focused trend known as “induced demand”.

The City is also committed to the principles of independence, dignity, integration, and equality of opportunity, as described in the Accessibility for Ontarians with Disabilities Act (AODA). The term “disability” covers a range of visible and invisible conditions that may have been present from birth, caused by an accident, or developed over time. For

instance, disabilities include visual impairment, deafness, brain injury, intellectual disabilities, or reliance on a mobility device, to name a few. NCP recommendations also considered the ARAO framework that will provide an equity tool that combines the previous Gender Equity Lens and the Equity and Inclusion Lens. Each NCP recommendation provides a plan for sidewalk connections tailored to the community's mobility trends and patterns with regard for accessibility, equity and safety.

Infrastructure recommendations will be presented in the form of an NCP map, that will act as a blueprint for where to add sidewalk infrastructure when the time comes to reconstruct a given neighbourhood street.

Staff plan to present the NCP recommendations to council together with a Public Participation Meeting (PPM). Each of the three 2022 NCP neighbourhoods will be scheduled for its own individual PPM on the January 31, 2023 Civic Works Committee agenda. Hosting individual PPMs on the same agenda will support ease of engagement for the public as well as support consistent decision-making across the neighbourhoods while acknowledging the unique nature of each neighbourhood.

Email notifications have been sent to those residents that engaged in the three neighbourhoods to provide advance notice of this information report as well as the January 31, 2023 PPMs. Details of the PPMs will also be promoted on social media and the neighbourhood Get Involved pages. The goal is to provide residents with ample notice of their opportunity to comment on the recommended outcome of this engagement process.

2.4 Neighbourhood Connectivity Plans Going Forward

In its first year, the NCP engagement strategy was able to gather valuable community feedback. The various options for input provided a neutral space for residents to express their opinions on adding new sidewalks in established neighbourhoods, both for and against. This valuable feedback provided a picture of how people move in their community, where they enjoy walking and where there are gaps that make walking uncomfortable.

To really understand the benefits of a neighbourhood approach to sidewalk discussions, the NCP trial should continue to see the 2022 communities through the PPM process and possibly implementation of an NCP recommended sidewalk through to street-level engagement and construction. It is recommended that the trial continue into 2023.

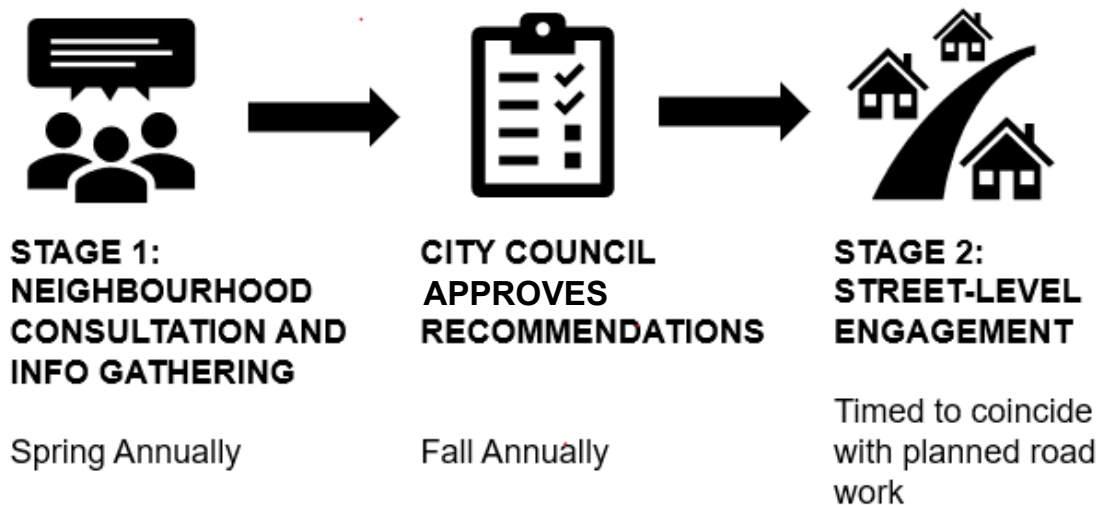
For the January 31 CWC agenda, staff will provide a companion report to the three NCP recommendations that will identify the citywide 2023 sidewalk project list and recommend the next communities to undertake the NCP engagement process.

2.5 Sidewalk Engagement at the Street Level

While an NCP provides a blueprint for sidewalk connections in a neighbourhood, individual project engagement will still be required when it comes time to implement the sidewalk. That is the point when the conversation should focus on finding the best fit design for the street and help residents understand the design considerations available to mitigate impacts of adding a new sidewalk.

Right now, staff are ready to provide NCP recommendations based on feedback gathered through Stage 1 Neighbourhood Consultation.

Those who live on the street will have an opportunity to provide feedback on the proposed sidewalk options in order to help refine the designs to add the sidewalk in a way that makes the most sense for the street. Stage 2 Street-level Engagement will consider factors such as trees and vegetation, existing driveways, on-street parking, emergency vehicle access, winter road maintenance and streetlighting to develop a design that mitigates some of the impacts of adding a new sidewalk.



In terms of timing, if a street is identified as a place where sidewalks should be added, that work will be timed to coincide with other road work planned for the area or street. For example, if the City is planning to re-pave the road or fix underground infrastructure, staff would try to time those works together to minimise disruption for residents. Regardless, before any sidewalks are installed, residents will hear from the City and have another opportunity to participate in a street level consultation.

3.0 Financial Impact/Considerations

3.1 Budget Implications

An NCP engagement strategy has been established and can support ongoing completion of connection plans in-house with support from the cross-functional working group. Ideally, moving to a NCP approach for sidewalk engagement should lead to a reduction in staff resource demands over the current street-by-street approach.

Conclusion

Staff have developed a new Neighbourhood Connectivity Plan approach and engagement strategy for engaging communities regarding implementation of sidewalks in established neighbourhoods.

Implemented on a trial basis, an initial three neighbourhoods have completed their engagement and staff will present the recommended plans to Council at Public Participation Meetings on January 31, 2023.

Continuing the trial into 2023 will provide an opportunity observe the outcome of the first three recommended NCPs and complete a second round of NCP engagement for select neighbourhoods.

Prepared and Submitted by:

Jennie Dann, P.Eng., Director, Construction and Infrastructure Services

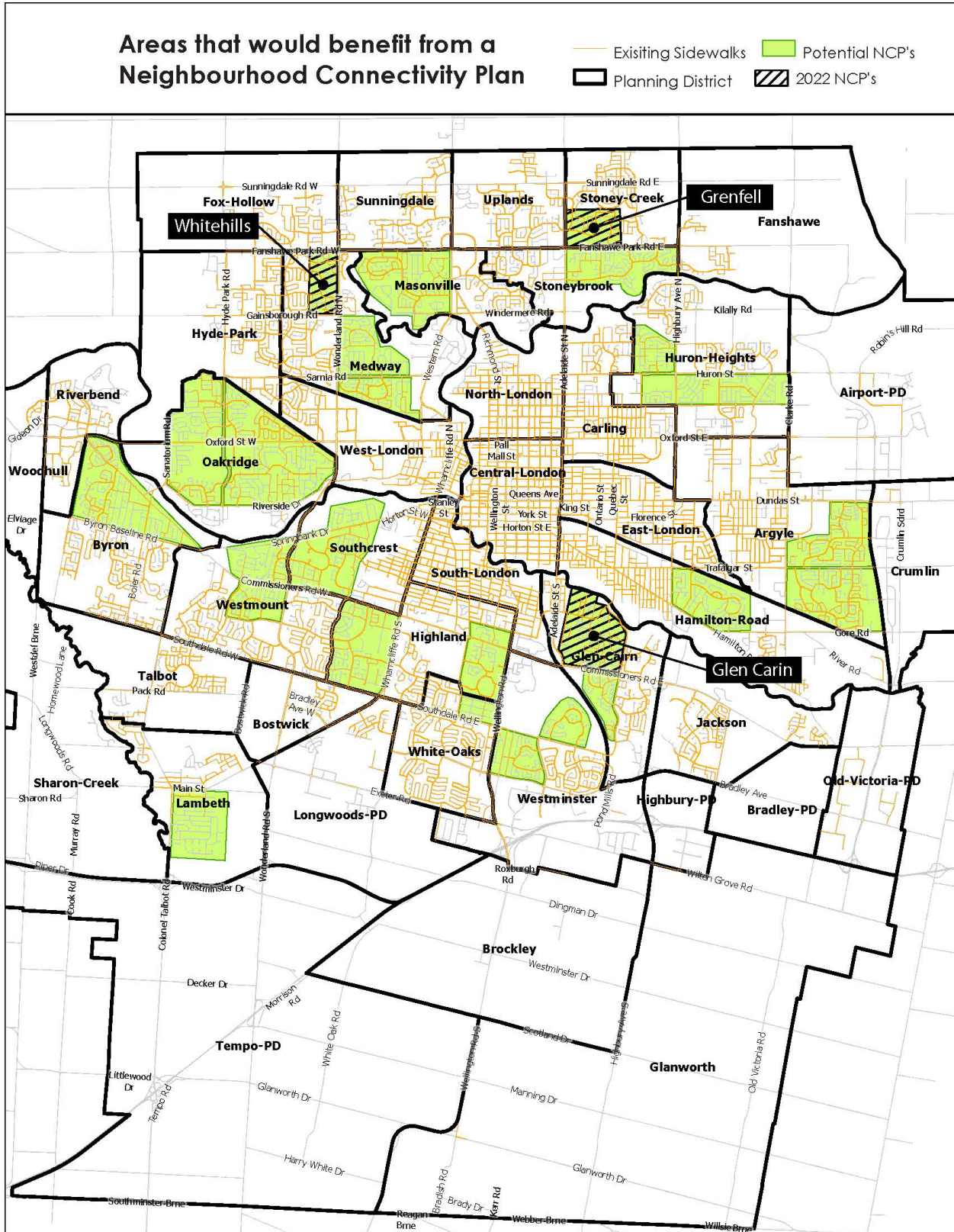
Recommended by:

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

Attachments:

Map of areas that would benefit from a Neighbourhood Sidewalk Connection Plan

Appendix A: Areas that would benefit from a Neighbourhood Sidewalk Connection Plan



Request added agenda 2.3
Civic Works agenda Jan. 10, 2023

Attention: C. Rahman Chair
Re: 2.3 Neighbourhood Connectivity Plan - Engagement Strategy

Recommendation: This recommendation has 2 parts; one to receive for information and two that city administration be directed to
to continue this trial engagement strategy into 2023.
Please note the second part is to give staff direction.

Rationale to change direction.

In the past Council and staff have designed many areas with only one sided sidewalk or both sides. This was not a mistake but by design. Look at the streets around UWO east of Richmond street.

Council is taking a wholistic approach to implementing sidewalks where they currently don't exist! However last year there was exceptions (1 or 2) where at least 8 Councilors (majority at meeting) supported the community and voted no on their street.

Note two issues: There is 14 councilors so a ward councilor can challenge putting sidewalk in only to lose the vote; EXCEPT AS MENTIONED ABOVE. Just because you are doing major sewer work or roadwork doesn't justify doing it. There is the loss of building choice when founded, additional operating costs and construction cost. Also potentially loss of trees etc..

Because of the Ward system the community cannot win which has been the practice with this pilot. You can have all the public engagement you wish the outcome is usually the same. The facts are there has been no actual problems by those who have chosen to live in these areas.

In order for the community to be treated fairly the residents (home owners) should be able to vote; noting 60% wins the right to decide!
Failure to do this denies them real involvement and democratic decision!

Recommend: I recommend the second part of the direction to staff to continue this trial strategy but adding a clause that gives the residents as noted above a vote to decide yes or no!

William Brock

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: Request for Proposal RFP-2022-271 Contract Award of 2023
Cured in Place Pipe (CIPP) Sewer Lining Program

Date: January 10, 2023

Recommendation

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions **BE TAKEN** with respect to Request for Proposal RFP-2022-271 for the 2023 Cured in Place Pipe (CIPP) Sewer Lining Program:

- a) The bid submitted by Insituform Technologies Ltd at the tendered price of \$5,808,074.00 (HST excluded), **BE ACCEPTED**, it is noted that the bid submitted by Insituform Technologies Limited was the only bid that met the technical criteria and City's specifications and requirements in all areas;
- 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, or issuing a purchase order for the material to be supplied and the work to be done, relating to this project; 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 the annual contract to supply and install Cured In Place Pipe (CIPP) as part of the sewer lining program.

Context

The City of London uses trenchless sewer repairs, where appropriate, to repair damaged sewers without having to perform open cut construction. CIPP repairs involve inserting a resin filled felt or fiberglass tube into a sewer, inflating the tube and adding heat (via steam or hot water) or UV light to cure the resin. Once the resin cures, the tube has formed into a tight-fitting pipe within a pipe. The result is a "new" sewer with a life expectancy of 50+ years.

Linkage to the Corporate Strategic Plan

The following report supports the 2019 – 2023 Strategic Plan through the strategic focus area of Building a Sustainable City:

- London's Infrastructure is built, maintained and operated to meet the long-term needs of our community;
- London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- CWC – July 26, 2022 - Request for Proposal RFP2022-120 Contract Award of 2022 Sewer Lining (CIPP)
- CWC – November 2, 2021 – Request for Proposal 21-56 Contract Award of 2021 Supply and Installation of Cured-in-place-pipe Sewer Liners
- CWC – November 17, 2020 – Request for Proposal 20-59 Contract Award of 2020 Cured in Place Pipe (CIPP) Sewer Lining Program
- CWC – November 19, 2019 – Request for Proposal 19-45 Contract Award of 2019 Cured in Place Pipe (CIPP) Sewer Lining Program

2.0 Discussion and Considerations

2.1 Work Description

The City of London's annual sewer lining program uses trenchless technologies to reinstate and extend the life of existing storm and sanitary sewer infrastructure. This program avoids the large capital costs of open cut construction by using cost effective trenchless technology. The installation of a liner can be completed in several days as compared to months for open cut repairs which greatly reduces the social impact and cost.

The City of London began installing full length sewer lining repairs in 1989. Beginning in the late 1990s, the sewer lining program was expanded and became an important part of London's capital renewal strategy. Since 2007, there have been 245 km of liners installed through the annual CIPP lining program.

The 2023 program consists of approximately 7 km of storm and sanitary sewer lining along various streets throughout the city with pipe sizes ranging from 200mm to 1,050mm. Some of the large diameter sanitary sewers will require flow bypass to accommodate the lining. Sewers to be lined in 2023 include:

- 596m of trunk sanitary sewer along Ann Street, Talbot Street, and Oxford Street (900mm diameter sanitary sewer).
- 548m of sanitary and storm sewer along the Kimberley easement from Kimberley Avenue to Pond Mills Road (sanitary sewers are 250mm diameter and storm sewers range between 750mm and 1,050mm diameter).
- 5,921m of various sanitary and storm sewer with diameters ranging between 200mm and 600mm in various locations throughout the City of London.

3.0 Financial Impact/Considerations

3.1 Procurement Process

The selection of a firm for the 2023 Cured in Place Pipe (CIPP) Sewer Lining Program followed the Request for Proposal (RFP) procurement, in accordance with section 12 of the Procurement of Goods and Services Policy. The RFP process was chosen due to the technical considerations and experience necessary to successfully complete the structural sewer lining for trunk sanitary sewer. Strong methodologies for bypass pumping routes and spill protection plans were required, along with adequate project staging and traffic management plans. This RFP followed a 2 envelope process wherein firms had to achieve a minimum score of 70% on the technical component to pass.

Following public posting of the 2023 Cured in Place Pipe (CIPP) Sewer Lining Program, three proposal submissions were received and evaluated by the Environment and Infrastructure Department which included a technical and cost component. Two of the three submissions did not meet the technical score required. The proposal submitted by Insituform Technologies Limited was the highest scoring submission, in accordance with Section 12.0 of the Procurement of Goods and Services Policy. The submitted cost of \$5,808,074.00 is within the allotted budget.

All submissions include a contingency allowance of \$300,000.00. The value of this tender award is within the approved budget for the annual sewer relining program.

Conclusion

City staff have reviewed the proposal submissions and have recommended Insituform Technologies Limited be awarded the construction contact for the 2023 Cured in Place Pipe (CIPP) Sewer Lining Program.

The sewer lining program continues to be an important part of the City's sewer infrastructure renewal strategy. The ability to repair sewers with minimal above ground impact provides an opportunity to perform necessary repairs while limiting disruptions to the general public in an extremely cost effective manner.

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

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

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

cc: Y.Clavet, C.Liu

Appendix 'A' – Sources of Financing

Appendix "A"

#23001

January 10, 2023
(Award Contract)

Chair and Members
Civic Works Committee

RE: RFP-2022-271 Contract Award of 2023 Cured in Place Pipe (CIPP) Sewer Lining Program
(Subledger WW230001)

Capital Project ES269320 - Sewer Relining

Capital Project ES269322 - Sewer Relining

Capital Project ES269323 - Sewer Relining

Insituform Technologies Limited - \$5,808,074.00 (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 Date	This Submission	Balance for Future Work
ES269320 - Sewer Relining				
Construction	4,516,710	3,820,521	617,932	78,257
ES269322 - Sewer Relining				
Construction	4,718,592	4,258,066	460,526	0
ES269323 - Sewer Relining				
Construction	4,831,838	0	4,831,838	0
Total Expenditures	\$14,067,140	\$8,078,587	\$5,910,296	\$78,257

Sources of Financing

ES269320 - Sewer Relining				
Capital Sewer Rates	4,516,710	3,820,521	617,932	78,257
ES269322 - Sewer Relining				
Capital Sewer Rates	4,718,592	4,258,066	460,526	0
ES269323 - Sewer Relining				
Capital Sewer Rates	4,831,838	0	4,831,838	0
Total Financing	\$14,067,140	\$8,078,587	\$5,910,296	\$78,257

Financial Note:	ES269320	ES269322	ES269323	Total
Contract Price	607,244	452,561	4,748,269	5,808,074
Add: HST @13%	78,942	58,833	617,275	755,050
Total Contract Price Including Taxes	686,186	511,394	5,365,544	6,563,124
Less: HST Rebate	-68,254	-50,868	-533,706	-652,828
Net Contract Price	\$617,932	\$460,526	\$4,831,838	\$5,910,296

Jason Davies
Manager of Financial Planning & Policy

jg

January 10, 2023

To the City of London Civic Works Committee,

We, members of the Environmental Stewardship and Action Community Advisory Committee (ESACAC), wish to welcome you to your new roles.

Our Community Advisory Committee reports directly to the Civic Works Committee. We hope to foster a collaborative, productive working relationship between our two Committees. The new Environmental Stewardship and Action Community Advisory Committee is prepared to receive and work on items that are handed down to us via civic administration, but we also hope to have your support when we bring forward ideas, suggestions and feedback related to [our mandate](#). We are committed to listening, sharing expertise, asking questions, and supporting community engagement in environmental stewardship and action.

The purpose of this letter is to extend a standing invitation from the Environmental Stewardship and Action Community Advisory Committee to all members of City Council to attend our meetings. We meet on the first Wednesday of each month beginning at 3 pm. We believe that direct conversations between members of our Advisory Committee and members of Council can provide mutual benefits, improve understanding of topics related to environmental stewardship and action, help to realize emerging opportunities in Wards across the City, and ensure that community voices are heard.

We recognize that an environment and climate emergency lens may be useful for supporting decisions by Council on matters outside the purview of the Civic Works Committee. Therefore, in addition to reporting to the Civic Works Committee via civic administration, our Committee looks forward to acting as a resource to help advise members of Council in general on reaching their goals, whenever is appropriate.

Our Committee is comprised of community representatives with expertise in the following areas:

- Climate change planning
- Biodiversity conservation
- Sustainable building design
- Urban forestry
- Ecological restoration
- Low-impact development
- Wildlife management
- Waste management and recycling
- Energy transitions
- Public education, engagement, consultation

In the months and years ahead, City Council will need to make important decisions to help London meet its targets under the Climate Emergency Action Plan. The Environmental Stewardship and Action Community Advisory Committee is ready to serve the City of London and members of Council to the best of our ability.

Regards,

Members of the Environmental Stewardship and Action Community Advisory Committee (ESACAC)

Submitted by
Brendon Samuels, Chair

Environmental Stewardship and Action Community Advisory Committee

Report

1st Meeting of the Environmental Stewardship and Action Community Advisory Committee
December 7, 2022

Attendance PRESENT: B. Samuels (Chair), D. Allick, P. Almost, M. Griffith, A. Hames, C. Hunsberger, N. Serour, L. Vuong and A. Wittingham and H. Lysynski (Committee Clerk)

ABSENT: I. EIGHamrawy, R. McGarry, C. Mettler and L. Paulger

ALSO PRESENT: M. Fabro, K. Mason, M. Mollard, J. Stanford and B. Westlake-Power

The meeting was called to order at 3:02 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 Smoke-Free Ontario Act, 2017

That it BE NOTED that B. Tingley, Supervisor, Tobacco Enforcement Team, Middlesex-London Health Unit, was unable to attend the meeting; it being further noted that the presentation will be rescheduled to a future meeting.

2.2 City Nature Challenge

That it BE NOTED that the Environmental Stewardship and Action Community Advisory Committee (ESACAC) heard a presentation from T. Hain, Biology Professor, Fanshawe College, with respect to the City Nature Challenge; it being further noted that the ESACAC held a general discussion with respect to this Challenge.

3. Consent

3.1 4th Report of the Environmental Stewardship and Action Community Advisory Committee

That it BE NOTED that the 4th Report of the Environmental Stewardship and Action Community Advisory Committee, from its meeting held on November 2, 2022, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 City of London Website - B. Samuels

That, it BE NOTED that the Environmental Stewardship and Action Community Advisory Committee held a general discussion and heard a

verbal presentation from M. Mollard, Acting Director, Strategic Communications, with respect to the information provided on the City of London website.

5.2 2022 Budget Proposal - B. Samuels

That, the full 2022 Environmental Stewardship and Action Community Advisory Committee Budget expenditure of \$1,500 BE ALLOCATED for the purchase of bird-friendly window collision tape.

6. Adjournment

The meeting adjourned at 3:58 PM.

Integrated Transportation Community Advisory Committee

Report

The 1st meeting of the Integrated Transportation Community Advisory Committee
December 21, 2022

Attendance PRESENT: T.Khan (Chair), R. Buchal, D. Foster, A. Husain, T. Kerr, S. Leitch, A. Lubrano III, D. Luthra, M. Malekzadeh, A. Santiago, J. Vareka; H. Lysynski, K. Mason (Committee Clerks)

ABSENT: J. Collie, E. Eady

ALSO PRESENT: J. Pribil; B. Brock, S. Corman, J. Dann, D. Hall, D. MacRae, A. Miller, M. Morris, K. Scherr, R. Spear, J. Stanford, V. Sypien, B. Westlake-Power

The meeting was called to order at 3:01 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 Fanshawe Park Road and Richmond Street Intersection Improvements

That it BE NOTED that the presentation, as appended to the Agenda, from R. Spear, Dillon Consulting, and the presentation, as appended to the Added Agenda from the Integrated Transportation Community Advisory Committee, with respect to Fanshawe Park Road and Richmond Street Intersection Improvements, was received.

2.2 E-Scooters and Cargo E-bikes

That it BE NOTED that the presentation, as appended to the Agenda, from A. Miller, Senior Transportation Demand Management (TDM) Coordinator, and the presentation, as appended to the Added Agenda, from the Integrated Transportation Community Advisory Committee, with respect to E-Scooters and Cargo E-Bikes, was received.

3. Consent

3.1 5th Report of the Integrated Transportation Community Advisory Committee

That it BE NOTED that the 5th Report of the Integrated Transportation Community Advisory Committee, from the meeting held on November 16, 2022, was received.

3.2 Notice of Planning Application - Zoning By-Law Amendment - 455 Highbury Avenue North

That it BE NOTED that the Notice of Planning Application, dated November 23, 2022, from M. Hynes, Planner I, related to a Zoning By-Law Amendment for the property located at 455 Highbury Avenue North, was received.

3.3 Notice of Planning Application – Zoning By-Law Amendment – 1154 Hamilton Road

That it BE NOTED that the Notice of Planning Application, dated November 30, 2022, from M. Hynes, Planner I, related to a Zoning By-Law Amendment for the property located at 1154 Hamilton Road, was received.

3.4 Notice of Planning Application – Official Plan and Zoning By-law Amendments – 755-815 Wonderland Road South

That it BE NOTED that the Notice of Planning Application, dated December 7, 2022, from S. Wise, Senior Planner, related to Official Plan and Zoning By-Law Amendments for the properties located at 755-815 Wonderland Road South, was received.

3.5 Notice of Study Commencement – Oxford Street West Improvements Municipal Class EA Westdel Bourne to Sanatorium Road

That it BE NOTED that the Notice of Study Commencement, dated December 8, 2022, from E. Guil, Project Manager and K. Jim, Project Manager, related to Oxford Street West Improvements Municipal Class EA Westdel Bourne to Sanatorium Road, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 Integrated Transportation Community Advisory Committee Requests - Resume In-Person Meetings in 2023

That the Municipal Council BE REQUESTED to direct the Civic Administration to establish a hybrid meeting process for Integrated Transportation Community Advisory Committee meetings.

5.2 Integrated Transportation Community Advisory Committee Requests - Purchase Zoom License for Sub-Committees

That the Municipal Council BE REQUESTED to direct the Civic Administration to investigate and provide a report back to the Integrated Transportation Community Advisory Committee (ITCAC) with respect to Zoom license purchase(s) for the ITCAC, for sub-committee meeting use.

6. (ADDED) Additional Business

6.1 (ADDED) Notice of Planning Application - Zoning By-Law Amendment - 200 Albert Street

That it BE NOTED that the Notice of Planning Application, dated December 14, 2022, from N. Pasato, Senior Planner, related to a Zoning By-Law Amendment for the property located at 200 Albert Street, was received.

7. Adjournment

The meeting adjourned at 5:16 PM.