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TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON NOVEMBER 12, 2012
FROM:	EDWARD SOLDO, P.ENG. DIRECTOR ROADS AND TRANSPORTATION ENVIRONMENTAL AND ENGINEERING SERVICES
SUBJECT:	FOX HOLLOW DEVELOPMENT AREA STORMWATER MANAGEMENT FACILITIES NOS. 1 AND 3

RECOMMENDATION

That, on the recommendation of the Director, Roads and Transportation, the following action **BE TAKEN** with respect to the Fox Hollow Development Area Stormwater Management Facilities Nos. 1 and 3:

- (a) the Mayor and the City Clerk **BE AUTHORIZED** to execute an updated agreement with the Consultant - Stantec Consulting Limited (Consultant), 171 Queens Avenue Suite 800 London, Ontario, Canada, N6A 5J7; to increase the previously approved functional, detailed and contract administration design engineering fees by \$73,000 excluding HST, bringing the upset amount from \$1,434,930 to \$1,507,930, excluding HST for the said project in accordance with Section 14.5-single/sale source reporting, Procurement of Goods and Services Policy;
- (b) the financing for this work **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix "A";
- (c) the consulting fees for the project identified in (a) above, **BE IN ACCORDANCE** with the estimate on file, which are based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers;
- (d) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this work;
- (e) the approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract with the consultant for the work; and
- (f) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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CWC – December 19, 2011 – Fox Hollow Development Area Stormwater Management Facility #2 Depressurization Wells and Groundwater Works

BNEC – August 15, 2011 – Fox Hollow Development Area Stormwater Management Facility #2 Depressurization Wells and Groundwater Works

BNEC – May 2, 2011 – Contract Award – Tender No. T11-40, Fox Hollow Development Area Stormwater Management Facility No. 2 Construction Contract (ES3019)

BNEC – Feb 14, 2011 – Contract Award – Tender No. T11-13, Fox Hollow Development Area Stormwater Management Facility No. 2 Site Preparation Contract (ES3019)

ETC – May 10, 2010 – Appointment of Consulting Engineer for Engineering Services for Functional and Detailed Design of Fox Hollow Community Storm/Drainage, Stormwater Management and Sanitary Trunk Sewer Servicing Works.

ETC – April 12, 2010 – Schedule C Municipal Class Environmental Assessment Addendum for Storm/Drainage, Stormwater Management and Sanitary Servicing for the Fox Hollow Development Area

PC – October 19, 2009 – Storm/drainage, Stormwater Management and Sanitary Trunk Sewer Servicing Works for Fox Hollow Development Area

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ETC – June 1, 2009 - the appointment of a consultant for the Functional Design of Fox Hollow Community Storm/Drainage, Stormwater Management (SWM) and Sanitary Trunk Sewer Servicing Works (ES3018 ES5236) Fox Hollow Trunk Sanitary Sewer.

ETC – September 11, 2006 – Municipal Class Environmental Assessment Report Recommendations for Proposed Storm/Drainage and Stormwater Management Servicing Works for Fox Hollow Development Area

ETC – June 13, 2005 – Approval of the Appointment of the Consulting Engineer for the Municipal Class EA, Schedule 'C' Study for Storm/Drainage and SWM servicing works for Fox Hollow Development Area

ETC – March 25, 2002 – Approval of the Completion of the Functional Drainage and SWM Master Plan for Fox Hollow Community Plan

ETC – February 26, 2001 – Approval of the Appointment of the Consulting Engineer for Functional Drainage and SWM Master Plan for Fox Hollow Community Plan

BACKGROUND

Purpose:

The purpose of this report is to recommend that an increase in engineering design fees be authorized to the Consultant for additional effort related to modifications to the design and pre-qualification of contractors for the Fox Hollow No. 1 SWM facility, phasing and preparation of additional contract documents for the Fox Hollow Nos. 1 and 3 SWM facilities as well as the amendment to the Certificate of Approval for the Fox Hollow storm/drainage and SWM system (location map is shown in Appendix B).

Context:

In May 2010, the City engaged the consultant for the functional and detailed design of storm/drainage, SWM and sanitary servicing works for the Fox Hollow development area in accordance with the Addendum to the Fox Hollow Development Area Municipal Class Environmental Assessment (EA Addendum) for Storm/Drainage, SWM and Sanitary Servicing works finalized in July 2010. The scope of the engineering services for functional and detailed design did not include phasing of the SWM facilities.

In February 2011, staff recommended that current development plans, via the Growth Management Implementation Strategy (GMIS), could be implemented while deferring considerable capital spending and provide savings in debt related interest costs by phasing the large stormwater management facilities. It was proposed that the Fox Hollow #1 and Fox Hollow #3 Facilities be phased.

The Certificate of Approval for the Fox Hollow storm/drainage and SWM system stipulated that clay cut off walls shall be installed during the construction of the Fox Hollow No. 1 SWM facility in areas as determined by a qualified geotechnical engineer to effectively isolate the groundwater regime. Additional groundwater monitoring data, obtained during the summer of 2012, resulted in an opportunity to save costs associated with construction of the clay cutoff wall around the south cell of the Fox Hollow No. 1 SWM facility.

Discussion:

The consultant's work plan proposal (April 2010), which was reviewed and approved by the City, did not contemplate phasing the facilities or the preparation of multiple contract documents for the Fox Hollow No. 1 SWM facility and amending the Certificate of Approval. The costs associated with this additional work are estimated to be \$50,000.

In order to optimize the design of the south cell of the Fox Hollow No. 1 SWM facility, additional geotechnical and engineering work involving the height and layout of the clay cutoff wall required to effectively isolate the groundwater regime from the stormwater is required. In addition, due to the specialized construction associated with clay cutoff walls and dewatering procedures, it was recommended that the contractors responsible for constructing the Fox Hollow No. 1 SWM facility be prequalified. The costs associated with this additional work are estimated to be \$23,000.

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The engineering fees approved to date for this project are as follows:

1.	EA Addendum	\$122,900
2.	Functional and detailed design for SWM facilities Nos. 1, 2, 3, Heard Drain SWM Facility and Trunk Sanitary Sewer	\$767,500
3.	Contract administration, supervision and monitoring for the construction of Fox Hollow No. 2 SWM Facility	\$139,620
4.	Contract administration, supervision and monitoring for the construction of the Heard Drain and Trunk Sanitary Sewer	\$404,910
	Total	\$1,434,930



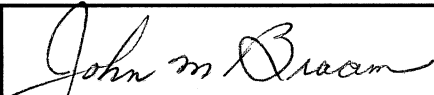
The additional engineering design fees required for the Fox Hollow Community SWM System are \$73,000, which makes the revised total for these engineering fees \$1,507,930, excluding HST.

Conclusions:

It is recommended that an increase in engineering design fees be authorized to the Consultant for additional effort related to modifications to the design and pre-qualification of contractors for the Fox Hollow No. 1 SWM facility, phasing and preparation of additional contract documents for the Fox Hollow Nos. 1 and 3 SWM facilities, as well as the amendment to the Certificate of Approval for the Fox Hollow storm/drainage and SWM system.

Acknowledgements:

This report was prepared within the Environmental and Engineering Services Department, Stormwater Management Unit by Billy Haklander, P.Eng., Environmental Services Engineer.

SUBMITTED BY:	RECOMMENDED BY:
	
BERTA KRICKER, M.Eng., F.E.C., P. Eng. MANAGER OF STORMWATER STORMWATER MANAGEMENT UNIT	EDWARD SOLDO, P.ENG. DIRECTOR, ROADS AND TRANSPORTATION
REVIEWED & CONCURRED BY:	
	
JOHN BRAAM, P.ENG. MANAGING DIRECTOR ENVIRONMENTAL AND ENGINEERING SERVICES & CITY ENGINEER	

October 19, 2012

Attach: Appendix "A" – Sources of Financing
Appendix "B" – Location Map

c.c. John Braam – Managing Director Environmental and Engineering Services & City Engineer
Pat Shack – Budget Analyst
John Freeman – Manager, Purchasing and Supply
Stantec Consulting

Chair and Members
Civic Works Committee

November 2, 2012
(Approve Additional Engineering Fees)

RE: Fox Hollow Development Area Stormwater Management Facilities Nos. 1 and 3
Capital Project ES3020-FH1 - SWM Facilities - Fox Hollow 1
Capital Project ES3020-FH3 - SWM Facilities - Fox Hollow 3
Stantec Consulting Limited - \$1,507,930.00 (excluding H.S.T.)

FINANCE DEPARTMENT REPORT ON THE SOURCES OF FINANCING:

Finance Department confirms that the adoption of this project can be accommodated within the financing available for it in the Capital Works Budget and that, subject to the adoption of the recommendations of the Director, Roads and Transportation, the detailed source of financing for this project is:

ESTIMATED EXPENDITURES	Approved Budget	Committed to Date	This Submission	Balance for Future Work
ES3020-FH1 - SWM Facilities-Fox Hollow 1				
Engineering	\$456,780	\$391,399	\$65,381	\$0
Land Purchase	1,440,241	1,440,241		0
Construction	2,264,203			2,264,203
City Related Expenses	5,476	5,476		0
	<u>4,166,700</u>	<u>1,837,116</u>	<u>65,381</u>	<u>2,264,203</u>
ES3020-FH3 - SWM Facilities-Fox Hollow 3				
Engineering	408,200	372,287	8,904	27,009
Land Purchase	1,388,900	751,659		637,241
Construction	3,949,783			3,949,783
City Related Expenses	30,917	7,593		23,324
	<u>5,777,800</u>	<u>1,131,539</u>	<u>8,904</u>	<u>4,637,357</u>
NET ESTIMATED EXPENDITURES	<u>\$9,944,500</u>	<u>\$2,968,655</u>	<u>\$74,285</u> 1)	<u>\$6,901,560</u>

SOURCE OF FINANCING:

ES3020-FH1 - SWM Facilities-Fox Hollow 1

Drawdown from Sewage Works Reserve Fund	\$171,261	\$75,505	\$2,687	\$93,069
Drawdown from City Services - Mjr SWM Reserve Fund (Development Charges)	2) 1,528,951	1,528,951		0
Debenture Quota (Serviced through City Services 2&3a) - Mjr SWM Reserve Fund (Development Chrgs))	2,466,488	232,660	62,694	2,171,134
	<u>4,166,700</u>	<u>1,837,116</u>	<u>65,381</u>	<u>2,264,203</u>

ES3020-FH3 - SWM Facilities-Fox Hollow 3

Drawdown from Sewage Works Reserve Fund	237,604	46,506	366	190,732
Drawdown from City Services - Mjr SWM Reserve Fund (Development Charges)	2) 1,631,485	1,085,033	8,538	537,914
Debenture Quota (Serviced through City Services 2&3b) - Mjr SWM Reserve Fund (Development Chrgs))	3,908,711			3,908,711
	<u>5,777,800</u>	<u>1,131,539</u>	<u>8,904</u>	<u>4,637,357</u>

TOTAL FINANCING

	<u>\$9,944,500</u>	<u>\$2,968,655</u>	<u>\$74,285</u>	<u>\$6,901,560</u>
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Financial Note:

	ES3020-FH1	ES3020-FH3	
1) Estimated Expenditure			\$1,507,930
Less: Amount Previously Approved by Council 01/10/2012 (ES3019)			1,434,930
Contract Increase	64,250	8,750	73,000
Add: HST @13%	8,353	1,138	9,491
Total Contract Increase Including Taxes	72,603	9,888	82,491
Less: HST Rebate	7,222	984	8,206
Net Contract Increase	<u>\$65,381</u>	<u>\$8,904</u>	<u>\$74,285</u>

- 2) Development charges have been utilized in accordance with the underlying legislation and the Development Charges Background Studies completed in 2009.

NOTE TO CITY CLERK:

- 3) 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 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 authorizing by-laws.
- a) An authorizing by-law should be drafted to secure debenture financing for Project ES3020-FH1 - SWM Facilities - Fox Hollow 1 for the net amount to be debentured of \$2,466,488.
- b) An authorizing by-law should be drafted to secure debenture financing for Project ES3020-FH3 - SWM Facilities - Fox Hollow 3 for the net amount to be debentured of \$3,908,711.



Alan Dunbar
Manager of Financial Planning & Policy

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APPENDIX 'B'

