

Civic Works Committee

Report

8th Meeting of the Civic Works Committee
April 16, 2019

PRESENT: Councillors P. Squire (Chair), M. van Holst, S. Lewis, S. Lehman, E. Pelosa

ABSENT: Mayor E. Holder
ALSO PRESENT: T. Copeland, G. Gauld, G. Irwin, S. King, D. MacRae, S. Maguire, S. Mathers, C. McIntosh, K. Oudekerk, P. Shack, S. Spring, J. Stanford and B. Westlake-Power

The meeting was called to order at 4:03 PM

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: M. van Holst
Seconded by: S. Lehman

That all items except 2.2, BE APPROVED.

Yeas: (5): P. Squire, M. van Holst, S. Lewis, S. Lehman, and E. Pelosa

Absent: (1): E. Holder

Motion Passed (5 to 0)

2.1 Fanshawe Park Road and Richmond Street Intersection Detailed Design and Tendering - Appointment of Consulting Engineer

Moved by: M. van Holst
Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the appointment of a Consulting Engineer for the Fanshawe Park Road and Richmond Street intersection improvements:

- a) Dillon Consulting Limited BE APPOINTED Consulting Engineers for the detailed design and tendering at an upset amount of \$596,167 (excluding HST) in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;
- b) the financing for this appointment BE APPROVED as set out in the Sources of Financing Report as appended to the staff report dated April 16, 2019;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this appointment;
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2019-A05)

Motion Passed

2.3 Contract Award - Tender No. RFT 19-43 - 2019 Infrastructure Renewal Program Contract No. 3 - Waterloo Street (Oxford Street East to Grosvenor Street)

Moved by: M. van Holst
Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the award of contracts for the 2019 Infrastructure Renewal Program Contract #3 – Waterloo Street (Oxford Street East to Grosvenor Street) reconstruction project:

- a) the bid submitted by L82 Construction Ltd. at its tendered price of \$3,687,977.82, (excluding HST), BE ACCEPTED; it being noted that the bid submitted by L82 Construction Ltd. was the lowest of nine bids received and meets the City's specifications and requirements in all areas;
- b) AECOM Canada 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 \$248,534.00, (excluding HST), in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy, noting that this firm completed the engineering design for this project;
- c) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the staff report dated April 16, 2019;
- d) the Civic Administration BE AUTHORIZED to undertake all the 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 RFT19-43); and,
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2019-T04)

Motion Passed

2.4 Update and Next Steps for the London Waste to Resources Innovation Centre

Moved by: M. van Holst
Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, with the support of the Director, Environment, Fleet and Solid Waste the following actions be taken with respect to the London Waste to Resources Innovation Centre:

- a) the proposed by-law, as appended to the staff report dated April 16, 2019, BE INTRODUCED at the Municipal Council meeting to be held on April 23, 2019 to;
 - i) authorize and approve Agreement between The Corporation of the City of London and The University of Western Ontario;

- ii) authorize the Mayor and the City Clerk to execute the Agreement;
- b) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with executing the above noted Agreement;
- c) the Civic Administration BE AUTHORIZED to promote the role, contribution and opportunities to grow the London Waste to Resources Innovation Centre through its relationship with Western University, with existing businesses that have signed Memorandums of Understanding with the City of London, and with new businesses and organizations looking for opportunities in the broad field of resource recovery, creating resources from materials that would normally be discarded, and reducing materials that require disposal; and,
- d) the Civic Administration BE DIRECTED to report annually to the Civic Works Committee on the activities and actions taken through the London Waste to Resources Innovation Centre including a status on the operating structure and financial matters. (2019-E07)

Motion Passed

2.5 Memorandum of Understanding with Green Shields Energy as Part of the London Waste Resources Innovation Centre

Moved by: M. van Holst
 Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, with the support of the Director, Environment, Fleet and Solid Waste, the proposed by-law as appended to the staff report dated April 16, 2019 BE INTRODUCED at the Municipal Council meeting to be held on April 23, 2019 to:

- a) authorize and approve a Memorandum of Understanding between 9003711 Canada Inc. operating as Green Shields Energy (“GSE”) and The Corporation of the City of London and,
- b) authorize the Mayor and the City Clerk to execute the Memorandum of Understanding authorized and approved in part a), above. (2019-E07)

Motion Passed

2.6 Environmental Programs Annual Overview Update

Moved by: M. van Holst
 Seconded by: S. Lehman

That, on the recommendation of the Director – Environment, Fleet and Solid Waste, the following actions be taken with respect to the Environmental Programs Annual Overview Update :

- a) the report dated April 16, 2019 BE RECEIVED for information; and,
- b) the report BE FORWARDED to the Advisory Committee on the Environment (ACE) for information. (2019-C06A)

Motion Passed

2.7 Vauxhall Wastewater Treatment Plant (WWTP) Flood Protection - Additional Dewatering Costs

Moved by: M. van Holst
Seconded by: S. Lehman

That, on the recommendation of the Managing Director of Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the construction contract for flood protection measures at Vauxhall Wastewater Treatment Plant (WWTP):

- a) the value of the engineering consulting fees for AECOM Limited BE INCREASED by \$75,000 including contingency, due to increased efforts related to the project extension;
- b) the value of the engineering consulting fees for Dillon Limited BE INCREASED by \$40,000.00 to restore contingency that had previously been reallocated; and,
- c) the financing for the projects BE APPROVED in accordance with the Sources of Financing Report as appended to the staff report dated April 16, 2019. (2019-E21)

Motion Passed

- 2.8 Upper Thames River Conservation Authority and City of London - Schedule B Municipal Class Environmental Assessment - Notices of Study Completion

Moved by: M. van Holst
Seconded by: S. Lehman

That, on the recommendation of the Managing Director Environmental and Engineering Services and City Engineer, the report entitled Upper Thames River Conservation Authority and City of London- Schedule B Municipal Class Environmental Assessment- Notice of Study Completion BE RECEIVED for information. (2019-E21)

Motion Passed

- 2.9 Pincombe Drain Stormwater Management Facility No. 3 Budget Adjustment

Moved by: M. van Holst
Seconded by: S. Lehman

That, on the recommendation of the Managing Director of Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Pincombe Drain Stormwater Management Facility #3 (ESSWM-PD3):

- a) the budget adjustment to increase Development Charges funding for above noted project ESSWM-PD3 in the amount of \$935,200 BE APPROVED, for a revised overall budget total in the amount of \$3,502,200; and,
- b) the financing for the above noted increase BE APPROVED in accordance with the Sources of Financing Report as appended to the staff report dated April 16, 2019. (2019-E03)

Motion Passed

2.10 Contract Award - Tender T19-21 - Colonel Talbot Sanitary Sewer and Forcemain Installation

Moved by: M. van Holst
Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, and subject to receipt of requisite regulatory approvals, the following actions be taken with respect to the award of contract for the Colonel Talbot Pumping Station Sanitary Sewer and Forcemain construction project:

- a) the bid submitted by Omega Contractors Inc. at its tendered price of \$6,404,243.82 (excluding HST), BE ACCEPTED; it being noted that the bid submitted by Omega Contractors Inc. was the lowest of five bids received and meets the 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 as appended to the staff report dated April 16, 2019;
- 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 relating to this project (Tender 19-21); and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2019-E01)

Motion Passed

2.11 Audible Pedestrian Pushbutton Equipment Irregular Result

Moved by: M. van Holst
Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer the following actions be taken with respect to the Audible Pedestrian Pushbutton Equipment Irregular Result:

- a) the irregular bid submitted by Tacel Ltd. at its tendered price of \$215,250.00 (excluding H.S.T.) BE ACCEPTED, in accordance with the Procurement of Goods and Services Policy Section 8.10 Irregular Result, part b and Section 13.2 part b;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the staff report dated April 16, 2019;
- 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 for the material to be supplied and the work to be done relating to this project (RFT19-25); and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, as required, to give effect to these recommendations. (2019-T07)

Motion Passed

2.12 Contract Award - T19-42 Arterial Road Rehabilitation Project Contract No. 2

Moved by: M. van Holst
Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the award of the 2019 Arterial Road Rehabilitation Project Contract No. 2:

- a) the bid submitted by Dufferin Construction Company at its submitted tendered price of \$5,735,706.55 (excluding HST), for the said project BE ACCEPTED; it being noted that the bid submitted by Dufferin Construction Company was the lowest of two (2) bids received and meets the 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 as appended to the staff report dated April 16, 2019;
- 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 for the material to be supplied and the work to be done relating to this project (Tender 19-42); and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2019-T04)

Motion Passed

2.13 Consultant Supervision Engineering Services Award - 2019 Infrastructure Renewal Program - Wistow Street Reconstruction Project

Moved by: M. van Holst
Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the award of consulting supervision services for the 2019 Infrastructure Renewal Program Wistow Street reconstruction project:

- a) Stantec Consulting BE AUTHORIZED to carry out the resident inspection and contract administration services, including geotechnical services for the said project in accordance with the estimate, on file, at an upset amount of \$294,230.20 including contingency, (excluding HST), in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy, noting that this firm completed the engineering design for this project;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the staff report dated April 16, 2019;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;

d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the work to be done; and,

e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2019-T04)

Motion Passed

2.14 Comments on Environmental Registry of Ontario (ERO) - Reducing Litter and Waste in our Communities - Discussion Paper

Moved by: M. van Holst

Seconded by: S. Lehman

That, on the recommendation of the Managing Director of Environmental and Engineering Services and City Engineer, the comments as appended to the staff report dated April 16, 2019, BE ENDORSED and BE SUBMITTED to the Ministry of the Environment, Conservation and Parks' Environmental Registry of Ontario posting (013-4689) titled Reducing Litter and Waste in Our Communities: Discussion Paper. (2019-E07)

Motion Passed

2.15 Huron Industrial Storm Management Facility Municipal Class Environmental Assessment - Notice of Completion

Moved by: M. van Holst

Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to the Huron Industrial Stormwater Management Facility Environmental Assessment:

a) the preferred outfall improvement alternative, executive summary appended to the staff report dated April 16, 2019, BE ACCEPTED in accordance with the Schedule 'B' Municipal Class Environmental Assessment process requirements;

b) a Notice of Completion BE FILED with the Municipal Clerk; and,

c) the Municipal Class Environmental Assessment Schedule 'B' project file for the Huron Industrial Stormwater Management Facility BE PLACED on public record for a 30-day review period. (2019-E03)

Motion Passed

2.16 Cooperative Purchase Tender Award - Supply and Delivery of Diesel, Biodiesel and Gasoline - Elgin, Middlesex, Oxford Purchasing (EMOP) Co-operative

Moved by: M. van Holst

Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the supply and delivery of diesel, biodiesel and gasoline:

- a) Fleet Services and Purchasing and Supply BE AUTHORIZED to continue as a member of the Elgin, Middlesex, Oxford Purchasing (EMOP) Cooperative for the supply and delivery of diesel, Biodiesel and Gasoline;
- b) the recommendation from the London Transit Commission to EMOP members for the Supply and Delivery of Diesel, Biodiesel and Gasoline be awarded to Suncor/Petro Canada, 2489 North Sheridan Way Mississauga, Ontario L5K 1A8 for five (5) years with two(2) one(1) year option terms, as appended to the staff report dated April 16, 2019, BE ACCEPTED;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this award; and,
- d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to the subject matter of this approval. (2019-V01A)

Motion Passed

2.2 Amendments to the Traffic and Parking By-law

Moved by: S. Lewis
 Seconded by: E. Pelozza

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the proposed by-law, as appended to the staff report dated April 16, 2019, BE INTRODUCED at the Municipal Council meeting to be held on April 23, 2019, for the purpose of amending the Traffic and Parking By-law, PS-113. (2019-T02/T08)

Yeas: (5): P. Squire, M. van Holst, S. Lewis, S. Lehman, and E. Pelozza

Absent: (1): E. Holder

Motion Passed (5 to 0)

3. Scheduled Items

3.1 Public Lane Policy Review

Moved by: M. van Holst
 Seconded by: S. Lewis

That the following actions be taken with respect to the Redan Public lane:

- a) the Civic Administration BE DIRECTED to survey the impacted property owners, with the intent to close the lane and divest the property, at the cost of \$1 to each of the property owners and with all other land transfer costs to be assumed by the City; and,
- b) that staff BE DIRECTED to report back to Civic Works Committee with recommendations for future potential lane closure subsidies.;

it being noted that the Civic Works Committee received the attached presentation from M. Koch Denomme, with respect to this matter. (2019-T03)

Yeas: (5): P. Squire, M. van Holst, S. Lewis, S. Lehman, and E. Pelozza

Absent: (1): E. Holder

Motion Passed (5 to 0)

4. Items for Direction

4.1 Opt-in Green Bin Service Motion - Councillor M. van Holst

Moved by: E. Pelosa
Seconded by: S. Lewis

That the communication from Councillor M. van Holst, dated April 8, 2019, with respect to an Opt-in Green Bin Service, BE RECEIVED.

Yeas: (5): P. Squire, M. van Holst, S. Lewis, S. Lehman, and E. Pelosa

Absent: (1): E. Holder

Motion Passed (5 to 0)

6. Confidential

6.1 Litigations/Potential Litigations/Solicitor-Client Privilege Advice/Directions and Instructions to Officers and Employees

Moved by: S. Lewis
Seconded by: S. Lehman

That the Civic Works Committee convene, In Closed Session at 5:29 PM, for the purpose of considering a matter that pertains to potential litigation with respect to Tender T17-04 Vauxhall Wastewater Treatment Plant, including matters before administrative tribunals, affecting the municipality or local board with respect to; advice that is subject to solicitor-client privilege, including communications necessary for that purpose in connection with the work done on Tender T17-04 Vauxhall Wastewater Treatment Plants; directions and instructions to officers and employees or agents of the municipality regarding settlement negotiations and conduct of litigation in connection with the Tender T17-04 Vauxhall Wastewater Treatment Plant.

Yeas: (5): P. Squire, M. van Holst, S. Lewis, S. Lehman, and E. Pelosa

Absent: (1): E. Holder

Motion Passed (5 to 0)

The Civic Works Committee convened, In Closed Session from 5:29 PM to 5:39 PM.

7. Adjournment

The meeting adjourned at 5:40 PM.