

**9TH REPORT OF THE**  
**CIVIC WORKS COMMITTEE**

Meeting held on April 22, 2013, commencing at 4:02 PM, in the Council Chambers, Second Floor, London City Hall.

**PRESENT:** Councillor P. Van Meerbergen (Chair), Mayor J. Fontana, Councillors M. Brown, S. Orser, H.L. Usher and S. White and J. Martin (Secretary).

**ALSO PRESENT:** Councillors B. Armstrong and B. Polhill; G. Belch, J. Braam, A. Dunbar, J. Emeljanow (Valcoustics Canada Ltd.), K. Grabowski, A. Henry, J. Matthews (Dillon Consulting), D. MacRae, M. Ribera, L. Rowe, E. Soldo, J. Stanford, S. Stanlake (Dillon Consulting).

---

**I. DISCLOSURES OF PECUNIARY INTEREST**

1. That it **BE NOTED** that no pecuniary interests were disclosed.

**II. CONSENT ITEMS**

2. Dundas Street and Hale Street Intersection Modifications

Recommendation: That, on the recommendation of the Director, Roads and Transportation, the staff report dated April 22, 2013 with respect to the Dundas Street and Hale Street intersection modifications **BE RECEIVED** for information.

3. 2013 Infrastructure Lifecycle Renewal Program Contract 6: Clemens, Rabb and Landor Streets Reconstruction (Tender No. 13-37)

Recommendation: That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the award of contracts for the 2013 Lifecycle Renewal Program, Contract #6: Clemens Street, Rabb Street and Landor Street Reconstruction Project (ES2414-11, ES2414-13, EW3765-13, TS3014-13):

- a) the bid submitted by 1123491 Ontario Incorporated (United Contracting Inc.) 2940 Dingman Drive London ON N6N 1G4, at its tendered price of \$1,980,628.40 (excluding H.S.T.), for the 2013 Infrastructure Lifecycle Renewal Program, Contract #6 project, **BE ACCEPTED**; it being pointed out that the bid submitted by United Contracting Inc. was the lowest of six bids received and meets the City's specifications and requirements in all areas;
- b) Development Engineering (London) Limited (DELL), 41 Adelaide Street North London ON N6B 3P4, **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 \$188,760.00 (excluding H.S.T.); it being noted that this firm completed the engineering design, based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers; and in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;
- c) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report appended to the staff report dated April 22, 2013;
- 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 13-37); 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. (2013-L04)
4. West Brough's Bridge Rehabilitation ( Tender No. 13-17 )

Recommendation: That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the award of a contract for the West Brough's Bridge Rehabilitation Project (TS1763 - 13):

- a) the bid submitted by McLean Taylor Construction Limited, 25 Water Street, St. Marys, ON N4X 1B1, at its submitted tendered price of \$2,285,243.63 (excluding H.S.T.), for the West Brough's Bridge Rehabilitation project **BE ACCEPTED**; it being noted that the bid submitted by McLean Taylor Construction Limited was the lowest of six (6) bids received and meets the City's specifications and requirements in all areas;
- b) AECOM Canada Ltd, 250 York Street, Suite 410, London, Ontario, N6A 6K2 **BE AUTHORIZED** to carry out the resident inspection and contract administration of the said project in the amount of \$167,442.00 (excluding H.S.T.), in accordance with Section 15.2(g) of the Procurement of Goods and Services Policy;
- c) the consulting fee for the project identified in (b), above, which is in accordance with the estimate on file, and which is based upon the Fee Guideline for Professional Engineering Services recommended by the Ontario Society of Professional Engineers **BE APPROVED**;
- d) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report appended to the staff report dated April 22, 2013;
- e) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project;
- f) 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 13-17); and,
- g) the Mayor and the City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations. (2013-L04)
5. 2013 Infrastructure Lifecycle Renewal Program Contract 9: Burbrook Place Reconstruction (Tender No. 13-20)

Recommendation: That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the award of contracts for the 2013 Lifecycle Renewal Program, Contract #9: Burbrook Place Reconstruction Project (ES2414-13, EW3765-13, TS3014-13):

- a) the bid submitted by Bre-Ex Ltd. (Bre-Ex), 247 Exeter Road, London, ON, N6L 1A5, at its tendered price of \$1,539,635.15 (excluding H.S.T.), for the 2013 Infrastructure Lifecycle Renewal Program, Contract #9 project, **BE ACCEPTED**; it being pointed out that the bid submitted by Bre-Ex was the lowest of nine bids received and meets the City's specifications and requirements in all areas;
- b) Dillon Consulting Limited (Dillon), 130 Dufferin Avenue Box 426, London ON, N6A 4W7, **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 \$197,477.50 (excluding H.S.T.); it being noted that this firm completed the engineering design, based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers; and in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and

Services Policy;

- c) minor future additional annual operating costs of \$300.00 **BE RECOGNIZED** as a result of this project; it being noted that these costs are as a result of new infrastructure installation and will be considered and accommodated within future Water & Wastewater operating budgets;
  - d) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report appended to the staff report dated April 22, 2013;
  - e) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project;
  - f) 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 13-20); and,
  - g) the Mayor and the City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations. (2013-L04)
6. W12A Landfill Site - Cell 7 Landfill Base and Leachate Collection System Construction (Tender No. 13-48 )

Recommendation: That, on the recommendation of the Director, Environment, Fleet & Solid Waste, the following actions be taken with respect to the award of contracts for the W12A Landfill Site - Cell 7 Landfill Base and Leachate Collection System Construction (SW6021):

- a) the bid submitted by Ron Murphy Contracting Co. Limited, 4412 Manning Drive, London ON, N6L 1K5, at its submitted tendered price of \$3,454,692.20 (excluding H.S.T.), for the W12A Landfill Site - Cell 7 Landfill Base and Leachate Collection System Construction, **BE ACCEPTED**; it being pointed out that the bid submitted by Ron Murphy Contracting Co. Limited was the lowest of eight compliant bids received and meets the City's specifications and requirements in all areas;
  - b) Dillon Consulting Limited **BE AUTHORIZED** to carry out resident inspection and contract administration for the said project in accordance with the estimate, on file, at an upset amount of \$101,197.00 (excluding H.S.T.); it being noted that this firm completed the engineering design, based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers; and in accordance with Section 15, Clause 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 appended to the staff report dated April 22, 2013;
  - 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 13-48); 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. (2013-L04)
7. Hyde Park No. 4 Stormwater Management Facility and Stanton Drain Remediation Contract

Recommendation: That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the Hyde Park No. 4 Stormwater Management Facility and

Stanton Drain Remediation contract:

- a) the replacement of the culvert on Shaw lands originally scheduled within Phase 2 Stanton Drain Remediation Works **BE INCLUDED** as part of the Hyde Park No. 4 Stormwater Management Facility and Stanton Drain Remediation works by increasing the upset limit by \$230,000 for contract No. 12-60 to \$5,949,479.55 (including contingency, excluding H.S.T.);
  - b) the replacement of the storm sewer on Doman Developments Corporate Campus **BE INCLUDED** as part of the Hyde Park No. 4 Stormwater Management Facility and Stanton Drain Remediation project; it being noted that the developer will construct the storm sewer as part of the servicing for the subdivision;
  - c) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report appended to the staff report dated April 22, 2013;
  - d) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this work;
  - e) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order relating to the material to be supplied and the work to be done relating to this project (Tender 12-60); 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. (2013-L04)
8. Municipal Class Environmental Assessment Schedule 'B' Study for the Dayus Creek Drainage Area Storm/Drainage and Stormwater Management Remediation/Serviceing Works

Recommendation: That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the Municipal Class Environmental Assessment (EA) Schedule "B" Study for the Dayus Creek Drainage Area Storm/Drainage and Stormwater Management (SWM) Remediation/Serviceing Works:

- a) the Municipal Class EA Schedule "B" Study Report for the Dayus Creek Drainage Area Storm/Drainage and SWM Remediation/Serviceing Works **BE ACCEPTED**;
- b) a Notice of Completion **BE FILED** with the Municipal Clerk; and,
- c) the Municipal Class EA Schedule "B" Study Report for the Dayus Creek Drainage Area Storm/Drainage and SWM Remediation/Serviceing Works **BE PLACED** on public record for a 30-day review period. (2013-E20)

### III. SCHEDULED ITEMS

#### 9. Veterans Memorial Parkway Noise Study

Recommendation: That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the Veterans Memorial Parkway noise improvements:

- a) the Civic Administration **BE DIRECTED** to introduce a 2014 Budget item for the Veterans Memorial Parkway Noise Berm Improvements in the amount of \$300,000;
- b) the Civic Administration **BE DIRECTED** to conduct a noise study upon completion of the Veterans Memorial Parkway Noise Berm Improvements; and,
- c) the report dated April 22, 2013, presentation and communications with respect to the Veterans Memorial Parkway Noise Study **BE RECEIVED**.

it being noted that the Civic Works Committee (CWC) received the attached presentation from the Director, Roads and Transportation with respect to this matter;

it being further noted that the CWC received the following submissions with respect to this matter;

- a) a communication dated April 14, 2013, from L. Johnston, Unit 35 – 217 Martinet Avenue;
- b) a communication from K. Tyndall, 39 – 217 Martinet Avenue; and,
- c) a communication dated April 15, 2013, from M. Wilkinson, 49 Moreau Crescent;

it being pointed out that at the public participation meeting associated with this matter, the following individuals made oral submissions in connection therewith:

- N. Sauter, Argyle Community Association, 204 Tremont Road – advising that he would be speaking on behalf of C. Dodds, 248 Simpson Crescent as she was ill; advising that the noise barrier is a priority for the Association; indicating that 2,000 residents along the Veterans Memorial Parkway are exposed to excessive traffic noise; advising that the noise attenuation study only sampled four locations; indicating that an additional 1/2 metre of dirt at a cost of \$300,000.00 will not solve the problem and that a local contractor has said they complete a wall for \$800,000.00 less than the City's estimate; requesting that Council carefully use logic to find an acceptable solution and not throw away \$300,000 on a bandaid solution.
- M. Facey, 151 Martinet Avenue – stating she has been an area resident for 13 years and the issue is not every day traffic but truck traffic which has increased dramatically; enquiring how testing in one location at the far end of a residential complex can possibly indicate results for all 17 properties; inviting Council to visit the location; indicating that the traffic can be seen from the second floor of the residence so there is a need to break the line of sight between the second floor and the traffic; stating that the berm does not take care of the first floor of the residence, let alone the second floor; stating that heavy trucks travelling at 80 km feel like small earthquakes and questioning the effects on the structural integrity of the homes in the area; noting that the berm will not stop the vibrations; recommending that a more pleasing option than a weedy berm be erected to honour our veterans; indicating that the noise level will continue to increase as area businesses grow, the issue is not going away and the costs to rectify will only increase as well; and stating that the residents live with this every day and deserve a better solution than a bandaid berm.
- J. Thibodeau, 112 Selkirk Street – stating she regularly visits Simpson Crescent and is often required to halt backyard conversations due to the noise level; indicating that the traffic is only 50 feet away from the residence's back fence; stating that road speeds, brakes and motorcycle traffic create significant noise; indicating the community was promised a noise barrier and it has not been delivered; questioning why areas like Cheapside, with traffic travelling at lower speeds and volumes, have noise wall barriers; indicating that this is a unique situation; and requesting that Council do the right thing and install a noise wall barrier and not a bandaid solution berm, which is currently ineffective.
- D. Garner, 15-511 Admiral Drive – stating she is a concerned citizen who has remained silent to date; suggesting that Council is hearing but not listening; stating that the berm is not effective; indicating that new business will increase traffic and noise; asking if Council is meeting their responsibilities and questioning why they would not want to improve the quality of life for their citizens; indicating that noise walls have been built in other neighbourhoods with less traffic and noise; indicating that a promise of a noise wall was made 10 years ago; stating that the noise makes it impossible to use the backyard and open the windows; stating that a berm and trees have been installed but is not working; requesting that Council keep their promise and build the wall.

- C. Dodds, 248 Simpson Crescent – stating she would be reading a letter on behalf of K. Schnittker, 252 Simpson Crescent; indicating that the quality of life is affected and doors and windows have to remain shut; noting that there is extremely heavy traffic and the continuous hum of heavy trucks and airbrake noise doesn't allow sleep with open windows, therefore, increasing air conditioning costs and decreasing the housing value; suggesting that an increased dirt pile and trees will not work; and indicating that she doesn't want to think East-end residents are treated differently, because the East-end residents are as important too.
- K. Tyndall, 217 Martinett – providing comments as outlined in the attached communication; advising that she was representing all residents of 217 Martinett; suggesting that their concerns have been disregarded; indicating that increasing the berm is nothing more than a cheap band aid solution and does not solve the issue; stating that they are not prepared to put up with the noise and requesting the City acknowledge and treat the 4-lane highway with truck traffic the same as other areas of London with 2 lane residential traffic where noise walls have been installed; advising that prior to the road widening they were assured they would receive a noise wall, and are now being told there is no record of this; stating that windows and doors can not be opened and air conditioners need to be used due to the noise; stating that prospective buyers like the houses but not the noise; stating that it is proven that noise is detrimental to human health; and requesting that Council approve an effective noise wall.
- M. Wilkinson, 49 Moreau Crescent – providing comments as outlined in the attached communication; and indicating the tests do not reflect peak hours, but the average, which doesn't make sense; and expressing frustration that some neighbourhoods need and get noise walls while his neighbourhood does not.
- G. Sunstrum, 151 Martinet Avenue – suggesting that Council has a responsibility to provide a quality of life; indicating they have a tough decision to make, and that \$650,000 was spent on a light show, shown 10 minutes twice a night for a week and \$150,000 on planter pots for visitors for 1 week and yet Council is not willing to invest in a noise wall for lifetime residents; requesting Council to make the appropriate decision to support taxpayers.
- R. Banks, Design Concrete Systems, 3278 Colonel Talbot Road, Lambeth – stating he was asked by the residents to speak; indicating he had done some research on the installation of walls and that the estimates don't jive; that in the past a competitor had a monopoly on the business; indicating that his company could complete the job more reasonably with a savings for the installation of the wall option of between \$800,000.00 and \$943,000.00.
- E. Matchuk, 37-217 Martinet Avenue – playing an audio soundtrack of the traffic noise taken from her second floor bedroom window, located above the berm, at 11:30 pm; pointing out the difference between car and truck traffic noise; stating that the vibrations from the large truck traffic shake her glassware; suggesting that the proposed increase to the berm will not solve these issues; and indicating support for area residents.

it being noted that L. Munds, 28-511 Admiral Avenue, was not in attendance to speak to this matter. (2013-T04A)

#### 10. Sarnia Road to Sleightholme Avenue Environmental Study Report

Recommendation: That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the Sarnia Road Environmental Assessment (TS1484):

- a) the Sarnia Road Environmental Study Report **BE ACCEPTED**;
- b) a Notice of Completion **BE FILED** with the Municipal Clerk; and,
- c) the Environmental Study Report **BE PLACED** on public record for a 30-day review period;

it being noted that the Civic Works Committee (CWC) received the attached presentation from the Division Manager, Roads and Transportation, with respect to this matter;

it being further noted that the CWC received the following submissions with respect to this matter;

- a) a communication dated April 14, 2013, from J. and D. Treveithick, University of Western Ontario;
- b) a communication dated April 8, 2013, from J. A. S. Castle, 6 Brentwood Place; and,
- c) a communication dated April 8, 2013, from T. Savescu;

it being pointed out that at the public participation meeting associated with this matter, the following individual made an oral submission in connection therewith:

- J. Treveithick, 557 Leyton Crescent - providing comments as outlined in the attached communication. (2013-E20)

11. Hamilton Road Old-Victoria Road to Veterans Memorial Parkway Environmental Study Report.

Recommendation: That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the Hamilton Road Environmental Assessment (TS2171 & TS2172):

- a) the Hamilton Road Environmental Study Report **BE ACCEPTED**;
- b) a Notice of Completion **BE FILED** with the Municipal Clerk; and,
- c) the Environmental Study Report **BE PLACED** on public record for a 30-day review period;

it being noted that the Civic Works Committee (CWC) received the attached presentation from the Division Manager, Roads and Transportation with respect to this matter;

it being pointed out that at the public participation meeting associated with this matter, the following individuals made oral submissions in connection therewith:

- D. Cousins, representing L. Patience, 1851 Hamilton Road – asking how solid the proposed new property line is for future plans.
- W. Buck, 1814 Hamilton Road – stating that he shares a laneway with the Forest City Baptist Church; asking how the proposed roundabout will affect the laneway; asking how the proposed widening will affect the north side and 1814 Hamilton Road. (2013-E20/T04B)

#### IV. ITEMS FOR DIRECTION

12. 3rd Report of the Transportation Advisory Committee

Recommendation: That, the following actions be taken with respect to the 3rd Report of the Transportation Advisory Committee from its meeting held on April 2, 2013:

- a) notwithstanding part 11(e)(iii) of clause 5(16) of the Policy Manual, which indicates that financial grants/contributions or awards to third party individuals, organizations or groups shall be directed to the appropriate Civic Department to be addressed through the approval and reporting processes already established by the Municipal Council for those situations, the amount of \$1,500.00 to support the 2013 Thames Region Ecological Association Bicycle Festival **BE APPROVED** from the Transportation Advisory Committee's (TAC) 2013 Budget; it being noted that the TAC has funded the TREA Bicycle Festival for a number of years in an effort to educate the public on different modes for transportation; it

being further noted that the TAC reviewed and received a communication, dated March 22, 2013, and heard a verbal delegation from D. Szoller, Thames Region Ecological Association, with respect to this matter; and,

b) clauses 2 to 5 **BE RECEIVED**.

**V. DEFERRED MATTERS/ADDITIONAL BUSINESS**

None

**VI. CONFIDENTIAL**

*(See Confidential Appendix to the 9th Report, enclosed for Members only.)*

The Civic Works Committee convened in camera from 4:05 PM to 4:16 PM, after having passed a motion to do so with respect to the following matter:

C-1. A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality.

**VII. ADJOURNMENT**

The meeting adjourned at 7:36 PM.