

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: Upper Thames River Conservation Authority and City of
London Flood Protection Projects: West London Dyke -
Phase 7 Increase to Consulting Fees

Date: January 11, 2022

Recommendation

That, on the recommendation of the Deputy City Manager, Environment & Infrastructure, the following actions **BE TAKEN** with respect to increasing the existing contract for the Phase 7 West London Dyke project:

- (a) The Upper Thames River Conservation Authority **BE AUTHORIZED** to carry out the added consulting and detailed design works for Phase 7 of the West London Dyke on behalf of the City by increasing the City's share by \$72,174.66 including contingency, excluding HST;
- (b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached, hereto, as Appendix 'A';
- (c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this work;
- (d) the approvals given, herein, **BE CONDITIONAL** upon the Corporation entering into a formal contract with the consultant for the project; and,
- (e) the Mayor and the City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

Executive Summary

Purpose

This report seeks Council approval to increase the City's share of the West London Dyke Phase 7 consulting and detailed design costs, administered by the Upper Thames River Conservation Authority, due to field challenges and scope changes.

Context

The City of London owns flood and erosion control structures throughout the watershed that are maintained by the Upper Thames River Conservation Authority (UTRCA) under the terms of a Memorandum of Understanding (MOU). The MOU defines a collaborative approach to operation and maintenance and capital improvements to the flood and erosion control structures in which the City and UTRCA share an interest.

As the regulator of the floodplain, the UTRCA is in the best position to coordinate work on these structures and can also access funding from the provincial and federal governments for maintenance and capital improvement of these structures that is not available to municipalities.

Because of the importance of the flood and erosion control structures to both the City and UTRCA, there is a long history of cooperation on the construction and maintenance of these structures. The City of London annually provides funding to the UTRCA to complete necessary dyke and dam capital and maintenance works.

Phase 7 of the West London Dyke Reconstruction projects spans from St. Patrick's Street to north of the Oxford Street bridge.

Linkage to the Corporate Strategic Plan

This project supports the 2019-2023 Strategic Plan through the following: Building a Sustainable City, Build infrastructure to support future development and protect the environment, Improve London's resiliency to respond to future challenges, and Maintain or increase current levels of service; manage the infrastructure gap for all assets.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Civic Works Committee – September 21, 2021 – Increase in Contract Award: West London Dyke, Norman Bradford Bridge Concrete Repairs

Civic Work Committee – August 31, 2021 – Increase Contract Award: West London Dyke Reapplication of Anti-Graffiti Coating to Phases 1 and 2

Civic Works Committee – November 17, 2020 – West London Dyke – Phase 7 and Fanshawe Dam Safety Study PO Boost

Civic Works Committee – July 14, 2020 – Upper Thames Conservation Authority and City of London Flood Protection Projects: West London Dyke Phase 7

Civic Works Committee – March 10, 2020 – Upper Thames River Conservation Authority and City of London Flood Protection Projects

Civic Works Committee – August 12, 2019 – Upper Thames River Conservation Authority and City of London Flood Protection Projects

Civic Works Committee – June 18, 2018 – Upper Thames River Conservation Authority and City of London Flood Protection Projects

Civic Works Committee – July 17, 2017 – Water and Erosion Control Infrastructure (WECI) Program: 2017 Provincially Approved Project Funding (Sole Sourced)

Civic Works Committee – August 22, 2016 – Water and Erosion Control Infrastructure (WECI) Program: 2016 Provincially Approved Project Funding (Sole Sourced)

Civic Works Committee – February 2, 2016 – West London Dyke Master Repair Plan Municipal Class Environmental Assessment Study

Strategic Priorities and Policy Committee – January 28, 2016 – Downtown Infrastructure Planning and Coordination

2.0 Discussion and Considerations

2.1 West London Dyke – Phase 7 Design Changes

Phase 7 of the West London Dyke reconstruction project spans from St. Patrick's Street to north of Oxford Street. Work for this phase commenced in July 2020. There were many challenges and design changes that were required in this phase, including:

- Work related to the dyke reconstruction in the vicinity of the Ann Street siphon which required added geotechnical investigations and wall design changes to include two new return walls to allow for future maintenance;

- Work related to the dyke reconstruction in the vicinity of the CP rail abutment which required various design changes, CP permit delays and encroachment agreements;
- Work related to the dyke reconstruction for the underpass beneath Oxford Street Bridge including unknown infrastructure discovered under the bridge and added geotechnical monitoring to ensure structural integrity of the bridge was not compromised during excavation methods;
- Work related to road reconstruction works on Argyle Street including design changes to include added infrastructure; and
- Work related to dyke alignment as requested by UTRCA to minimize encroachment which led to multiple submissions for permitting.

3.0 Financial Impact/Considerations

A total cost of \$108,624.44 is required to fund the above noted scope and design changes. Additionally, the UTRCA required added project management fees to support the design changes. The federal Disaster Mitigation and Adaptation Fund (DMAF) is available to support 40% of the costs associated with the WLD project. The table below outlines the City's contribution to cover the cost of the added works.

Table 1 – Cost sharing for the West London Dykes

	Added Fees Amount	DMAF Funding	London Share
West London Dyke Phase 7 - Detailed Design and Contract Administration PO Boost	\$ 108,624.44	\$43,449.78	\$65,174.66
West London Dyke Phase 7 - Added UTRCA Project Management Fees	\$ 7,000.00	-	\$ 7,000.00
Total	\$ 115,624.44	\$43,449.78	\$72,174.66

There are available funds to finance the City's share of West London Dyke – Phase 7 PO increase of \$72,174.66 including contingency, excluding HST.

Conclusion

It is recommended that the City's share for the West London Dyke Phase 7 consulting and detailed design fees that are administered by UTRCA, be increased to cover the costs of the added works and scope changes.

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

Submitted by: **Scott Mathers, MPA, P. Eng., Director, Water, Wastewater and Storm Water**

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

Attachments: Appendix 'A' – Source of Financing
Appendix 'B' – West London Dyke Phase Map

CC: John Freeman
Gary MacDonald
Alan Dunbar
Jason Davies
Monica McVicar