

Civic Works Committee

Report

The 3rd Meeting of the Civic Works Committee
February 1, 2022

PRESENT: Councillors E. Pelozza (Chair), M. van Holst, J. Helmer, P. Van Meerbergen, J. Fyfe-Millar, Mayor E. Holder

ALSO PRESENT: A. Pascual and K. Van Lammeren

Remote Attendance: Councillors M. Hamou, S. Hillier, and S. Lewis; G. Dales, J. Dann, D. MacRae, S. Mathers, K. Oudekerk, K. Scherr, M. Schulthess, J. Simon, and J. Stanford

The meeting was called to order at 12:01 PM with Councillor E. Pelozza in the Chair; it being noted that the following Members were in remote attendance: Mayor E. Holder, Councillors J. Helmer, M. van Holst, P. Van Meerbergen.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

Moved by: E. Holder

Seconded by: J. Fyfe-Millar

That pursuant to section 27.6 of the Council Procedure By-law, a change in order of the Civic Works Committee Agenda BE APPROVED to provide for Stage 6, Confidential to be considered before Stage 2, Consent.

Yeas: (6): E. Pelozza, M. van Holst, J. Helmer, P. Van Meerbergen, J. Fyfe-Millar, and E. Holder

Motion Passed (6 to 0)

2. Consent

Moved by: E. Holder

Seconded by: M. van Holst

That Items 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, and 2.8 BE APPROVED.

Yeas: (6): E. Pelozza, M. van Holst, J. Helmer, P. Van Meerbergen, J. Fyfe-Millar, and E. Holder

Motion Passed (6 to 0)

2.1 Wastewater Treatment Operations Master Plan - Notice of Completion

Moved by: E. Holder

Seconded by: M. van Holst

That, on the recommendation of Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated February 1, 2022, related to the Wastewater Treatment Operations Master Plan:

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

b) the Wastewater Treatment Operations Master Plan report BE PLACED on public record for a 30-day review period;

it being noted that the recommended implementation plan presented in the Wastewater Treatment Operations Master Plan will not be formally approved and endorsed until the following 30-day public review period and following responses to any comments received in accordance with the Master Planning process;

it being further noted that the pace for advancing the projects recommended through this Master Plan will be addressed through existing programs and budgets and Council's decisions through the upcoming 2024-2028 multi-year budget process. (2022-E03)

Motion Passed

2.2 Sole Source - Organic Rankine Cycle Equipment Service Contract

Moved by: E. Holder

Seconded by: M. van Holst

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated February 1, 2022, related to the award of a service contract for the maintenance of the Organic Rankine Cycle Equipment package at Greenway Wastewater Treatment Plant:

a) Turboden S.p.A., BE AWARDED a sole source service contract for the Greenway Organic Rankine Cycle system, in the amount of €39,000.00 per year, excluding HST, plus allowance for inflation as described, for a five-year term, in accordance with Section 14.3 (c) and 14.5 (a)(ii) of the City of London's Procurement of Goods and Services Policy;

b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;

c) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract; and,

d) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2022-E07)

Motion Passed

2.3 Amending Agreement to the Services Agreement Between Partner Municipalities and the Ontario Clean Water Agency for Contracted Operations at the Elgin-Middlesex Pumping Station

Moved by: E. Holder

Seconded by: M. van Holst

That, on the recommendation of the Director, Water, Wastewater and Stormwater, the following actions be taken with respect to the staff report dated February 1, 2022, related to an Amending Agreement to the existing Services Agreement between the partner municipalities and the Ontario Clean Water Agency for the contracted operation of the Elgin-Middlesex Pumping Station:

a) the proposed by-law as appended to the above-noted staff report BE INTRODUCED at the Municipal Council meeting to be held on February 15, 2022, to approve an Amending Agreement Between Ontario

Clean Water Agency and the Corporation of the City of London, Aylmer Area Secondary Water Supply System Board of Management and the St. Thomas Area Secondary Water Supply System Board of Management, for the continued contracted operation of the Elgin-Middlesex Pumping Station;

b) the Mayor and the City Clerk BE AUTHORIZED to execute the Amending Agreement, substantially in the form as appended to the above-noted by-law, and satisfactory to the City Solicitor, and all documents required to fulfill its conditions; and,

c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this Amending Agreement;

it being noted that the Boards of Management for both Secondary Water Supply Systems are concurrently undertaking similar actions to enter into this agreement. (2022-E13)

Motion Passed

2.4 2021 Drinking Water Annual Report and Summary Report for the City of London Drinking Water System

Moved by: E. Holder

Seconded by: M. van Holst

That, on the recommendation of the Director, Water, Wastewater, and Stormwater, the staff report dated February 1, 2022, related to the 2021 Drinking Water Annual Report and Summary Report for the City of London Drinking Water System BE RECEIVED for information. (2022-E13)

Motion Passed

2.5 Area Speed Limit Amendments to the Traffic and Parking By-law

Moved by: E. Holder

Seconded by: M. van Holst

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the proposed by-law as appended to the staff report dated February 1, 2022 BE INTRODUCED at the Municipal Council meeting to be held on February 15, 2022, to amend By-law PS-114 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London". (2022-T08)

Motion Passed

2.6 Contract Award: Tender No. 21-109 - Victoria Bridge Replacement

Moved by: E. Holder

Seconded by: M. van Holst

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated February 1, 2022, related to the award of contracts for the Victoria Bridge Replacement Project (Tender No. 21-109):

a) the bid submitted by McLean Taylor Construction Limited at its tendered price of \$22,771,238.28, excluding HST, for the Victoria Bridge Replacement Project, BE ACCEPTED; it being noted that the bid

submitted by McLean Taylor Construction Limited was the lowest of eight bids received and meets the City's specifications and requirements in all areas;

- b) AECOM Canada Limited BE AUTHORIZED to carry out the resident inspection and contract administration for this project at an upset amount of \$1,740,991.00 excluding HST, in accordance with Section 15.2 (g) of the City of London Procurement of Goods and Services Policy;
- c) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the above-noted staff report;
- d) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this project;
- e) 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 relating to this project (Tender 21-109); 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. (2022-T10)

Motion Passed

2.7 Contract Award: Tender No. 21-117 - East London Link and Municipal Infrastructure Improvements Phase 1

Moved by: E. Holder

Seconded by: M. van Holst

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated February 1, 2022, related to the award of contracts for the East London Link and Municipal Infrastructure Improvements Phase 1 project:

- a) the bid submitted by Bre-Ex Construction Inc. at its tendered price of \$20,887,870.36, excluding HST, for the East London Link and Municipal Infrastructure Improvements Phase 1 project, BE ACCEPTED; it being noted that the bid submitted by Bre-Ex Construction Inc. was the lowest of 5 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 \$1,565,255.00, 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 as appended to the above-noted staff report;
- d) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this project;
- e) the approvals 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 21-117); 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. (2022-T10)

Motion Passed

2.8 Exclusion of H.I.R.A. Limited from the City of London's Bidding and Tender Processes

Moved by: E. Holder

Seconded by: M. van Holst

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to staff report dated February 1, 2022, related to an outstanding legal action against the City of London:

a) H.I.R.A. Limited BE EXCLUDED from any City of London bidding opportunities until such time as they are no longer in litigation against the City of London in accordance with Section 19.6 of the City of London's Procurement of Goods and Services Policy; and,

b) the balance of this report BE RECEIVED for information. (2022-E03)

Motion Passed

3. Scheduled Items

None.

4. Items for Direction

None.

5. Deferred Matters/Additional Business

Moved by: J. Fyfe-Millar

Seconded by: M. van Holst

That Items 5.1, 5.2, and 5.3 BE APPROVED.

Yeas: (6): E. Pelosa, M. van Holst, J. Helmer, P. Van Meerbergen, J. Fyfe-Millar, and E. Holder

Motion Passed (6 to 0)

5.1 Deferred Matters List

Moved by: J. Fyfe-Millar

Seconded by: M. van Holst

That the Civic Works Committee Deferred Matters List as at January 24, 2022, BE RECEIVED.

Motion Passed

5.2 (ADDED) 2nd Report of the Cycling Advisory Committee

Moved by: J. Fyfe-Millar

Seconded by: M. van Holst

That the 2nd Report of the Cycling Advisory Committee, from its meeting held on January 19, 2022, BE RECEIVED.

Motion Passed

5.3 (ADDED) Municipal Drain Petitions - Scotland Farms

Moved by: J. Fyfe-Millar
Seconded by: M. van Holst

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated February 1, 2022, related to the municipal drain petitions for Scotland Farms:

- a) the petitions for two new Municipal Drains to be located at 2657 Scotland Drive (Lot 14 and 15) to benefit the drainage of the east and west sides of the property BE ACCEPTED by the Council of the Corporation of the City of London under Section 5 of the Drainage Act; and,
- b) Mike DeVos, P.Eng. of Spriet Associates London Limited BE APPOINTED under Section 8 of the Drainage Act to complete a report for the new drains.

Motion Passed

6. Confidential (Enclosed for Members Only.)

Moved by: E. Holder
Seconded by: J. Fyfe-Millar

That the Civic Works Committee convene, In Closed Session, for the purpose of considering the following:

6.1 Litigation / Solicitor-Client Privileged Advice

A matter pertaining to litigation or potential litigation; advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation with respect to litigation currently before the Superior Court of Justice, Court File No. 2112/19, affecting the municipality in relation to Tender T17-104 Vauxhall WWTP Effluent Pumping Station and Berm.

Yeas: (6): E. Peloza, M. van Holst, J. Helmer, P. Van Meerbergen, J. Fyfe-Millar, and E. Holder

Motion Passed (6 to 0)

The Civic Works Committee convenes, in Closed Session, from 12:07 PM to 12:30 PM.

7. Adjournment

Moved by: P. Van Meerbergen
Seconded by: J. Fyfe-Millar

That the meeting BE ADJOURNED.

Yeas: (6): E. Peloza, M. van Holst, J. Helmer, P. Van Meerbergen, J. Fyfe-Millar, and E. Holder

Motion Passed (6 to 0)

The meeting adjourned at 12:40 PM.