

TO:	CHAIR AND MEMBERS COMMUNITY AND PROTECTIVE SERVICES COMMITTEE MEETING ON JUNE 17, 2013
FROM:	JOHN BRAAM, P. ENG. MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES AND CITY ENGINEER MARTIN HAYWARD MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER
SUBJECT:	SCHOOL CROSSING GUARD PROGRAM IMPLEMENTATION SINGLE SOURCE

RECOMMENDATION

That, on the recommendations of the Managing Director, Environmental & Engineering Services and City Engineer and Managing Director, Corporate Service and City Treasurer, Chief Financial Officer, the following actions **BE TAKEN** in respect to the School Crossing Guard Program:

- a) Civic Administration **BE DIRECTED** to implement a School Crossing Guard Program commencing on September 1st 2013, it being noted that the source of funding for the school crossing guard program under the new service delivery model would continue to be the 2013 Corporate Operating budget;
- b) Civic Administration **BE DIRECTED** to negotiate a Single Source contract under section 14.4 of the City's Procurement of Goods and Services Policy with Stinson Security Services Inc. until August 31st 2014, subject to Council approval of an agreement;
- c) That the Finance Department **BE DIRECTED** to collaborate with the London Police Department to ensure that the appropriate transfer of budget funding takes place in 2013 for the transition of the School Crossing Guard Program to the Roads and Transportation program effective Sept 1st 2013, it being noted that estimated annual "direct" service operating cost/budget of the School Crossing Guard Program contained within the London Police Budget in 2013 was \$1.049 million;
- d) Civic Administration **BE DIRECTED** to introduce an annual 2014 Operating Budget line item within the Road and Transportation Program for the School Crossing Guard Program, it being noted that the cost of operating the School Crossing Guard Program may exceed the \$1.049 m "direct" service cost estimate from 2013 as a result of the program requirements that could be required to operate the program within Roads and Transportation;
- e) the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the June 25, 2013 Municipal Council meeting for the purpose of implementing a School Crossing Guard Program;
- f) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this work;
- g) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

BACKGROUND

The purpose of this report is to provide Committee and Council with an update on the proposed transfer of the School Crossing Guard Program (SCGP) from the London Police Service (LPS) to the City. At their meeting of April 18th, the London Police Services Board (LPSB) moved that the LPS disengage from administering the SCGP by no later than September 1st, 2013 (Memo No. 13-41 is included in Appendix "B").

The direction was reaffirmed at the May 16th meeting of the LPSB in response to the City's request for an extension of the transition date to December 31st of 2013 (May 23rd letter is included in Appendix "B").

This report provides an overview of the implications of the proposed transfer and outlines a potential long-term strategy for consideration.

DISCUSSION

The 2013 – 2015 Business Plan for the London Police Services Board was prepared in accordance with Ontario Regulation 3/99 to ensure adequate and effective police services are provided for the citizens of London.

The delivery of the SCGP is part of Goal #5, Strengthen Communications, Community Outreach and Partnerships, Action 5.2. There are currently 106 locations within the City of London that are serviced by 130 adult school crossing guards and supervisors.

As part of the process, an environmental scan and analysis was undertaken by LPS to review the business plan strategic priorities and goals. Presently, the LPS are one of only three police services in the Province that still administers the SCGP. The administration of the program is not a core or mandated police function.

Legislation

The operations of a School Crossing Guard and their authority are defined under the regulations of the Highway Traffic Act.

School crossings

176. (1) *In this section,*

“school crossing guard” means a person sixteen years of age or older who is directing the movement of persons across a highway and who is,

(a) employed by a municipality, or

(b) employed by a corporation under contract with a municipality to provide the services of a school crossing guard. R.S.O. 1990, c. H.8, s. 176 (1); 2005, c. 14, s. 1 (1).

School Crossing Guard Program Delivery

Municipalities do not have an obligation to have a SCGP. The majority of municipalities have a SCGP to ensure the safe crossing of students as they travel to and from school. For those municipalities that do offer the program, the majority deliver the program using in-house part time staff and a limited number utilize a contracted service delivery provider. A summary of other municipality's school crossing guard programs is included in Appendix "C".

The current delivery of the program by the LPSB is managed through an external contract with Stinson Security Services Inc. that expires on August 31st of 2013. Due to the short transition timelines, the continuation of a contracted service is the only viable service delivery method in the short term. As part of a service delivery review, the long term delivery method will be reassessed.

Program Transition

If the City wishes to continue with the SCGP beyond August 31st 2013, given the limited timeframe to the transition deadline from the LPSB, the City has the following options:

1. Issue New City Contract – A Request for Proposals (RFP) to interested contractors and new agreement would be developed and issued with a report back to Council for approval in August. The contractor would have to hire staff and implement for the August 31st deadline. There are no City staff resources at the present time to develop the RFP and oversee the implementation.
2. Negotiate an New Contract with Existing Contractor – The Procurement of Goods and Services Policy allows for the procurement of services from a Single Source (14.4) when there are valid and sufficient reasons for selecting one supplier under the following circumstances:

14.4 d. There is a need for compatibility with goods and/or services previously acquired or the required goods and/or services will be additional to similar goods and/or services being supplied under an existing contract (i.e. contract extension or renewal);

The existing contractor has the existing resources under contract to deliver the SCGP and it would be a seamless program transition.

14.4 e. The required goods and/or services are to be supplied by a particular supplier(s) having special knowledge, skills, expertise or experience;

The existing contractor has trained staff that are knowledgeable in the delivery of the program and are familiar with the City of London specific program requirements.

14.4 g. It is advantageous to the City to acquire the goods or services from a supplier pursuant to the procurement process conducted by another public body;

The existing contractor was retained through a public procurement process by the London Police Services Board.

Given the timelines and constraints, the preferred option is to negotiate a new single source contract with the existing contractor until August 31st 2014 (end of school year, including summer school). This would allow time for staff to undertake a service delivery review during the fall of 2013, develop a potential new Request for Proposals and incorporate these changes into the 2014 Operating Budget.

The existing contractor has an existing compliment of staff that are experienced with the specific locations, are familiar with the legal requirements of the program and would provide a more seamless transition until such time that the City can complete a service delivery review.

Delivery of the School Crossing Guard Program

A SCGP involves the following activities:

1. Liaison with the schools, school boards and community groups;
2. Conducting traffic studies at all existing SCG locations on a regular basis;
3. Conducting traffic studies at proposed or requested SCG locations (typically 6 to 10 per year);
4. Analysis of the traffic studies and determination of where SCGs should be implemented;
5. Customer service issues related to the delivery of the program; and
6. Management of the SCGP program.

The Roadway Lighting & Traffic Control Division currently manages other forms of traffic control and manages the City's traffic data collection program. The inclusion of the SCGP within this functional area would build upon the existing professional expertise. While a service delivery review would evaluate the staffing requirements of the program, based on the anticipated activities outlined above, additional staff resources may be required for program delivery.

School Crossing Guard Program Costs

In order for the City to deliver an effective program, a dedicated operating budget is required that would include the staff/contract resources, traffic count costs and the cost related to Police Vulnerable Sector Checks (PVSC).

Contractor Costs

The current contract costs that the LPSB incur in providing the SCGP are as follows:

LPSB Contracted Costs

Year	Budget	% Change	Actual	% Change	Variance
2004	\$ 659,864		\$ 622,169		\$ 37,695
2005	\$ 683,394	3.6%	\$ 692,553	11.3%	\$ (9,159)
2006	\$ 702,000	2.7%	\$ 705,785	1.9%	\$ (3,785)
2007	\$ 730,000	4.0%	\$ 732,936	3.8%	\$ (2,936)
2008	\$ 806,936	10.5%	\$ 768,011	4.8%	\$ 38,925
2009	\$ 866,209	7.3%	\$ 811,199	5.6%	\$ 55,010
2010	\$ 871,183	0.6%	\$ 896,175	10.5%	\$(24,992)
2011	\$ 946,479	8.6%	\$ 943,658	5.3%	\$ 2,821
2012	\$ 1,007,710	6.5%	\$ 978,826	3.7%	\$ 28,884
2013	\$ 1,049,242	4.1%			

The extension of the contract until August 31st 2014 will potentially increase the 2013 costs due to the inclusion of additional SCG locations. On average there are 4 locations added within a year.

The existing contractor has submitted a letter to the City indicating that they would keep the cost of the contract at status quo with no increase should Council decide to negotiate a single source contract until August 31st 2014 (Appendix "D"). The new contract would be subject to a new agreement and Council approval at a future date.

Program Resourcing

In order to deliver the SCGP as identified above, additional resources are required. The development of a new request for proposal for the contract and a new agreement, in addition to the administration of the existing contract, undertaking of surveys and analysis, dealing with inquires and school boards will require staffing beyond the existing compliment.

The service delivery review will evaluate program staff resourcing requirements and recommend appropriate options.

Traffic Counts

As changes occur with school boundaries as a result of new schools/reassignments or as a result of changes to existing traffic control or traffic volumes, the program will have to adjust for new or modified School Crossing Guard locations.

Over the last 5 years, the number of requests has ranged from 1 to 19. The requests are assessed based on need and justification. As a part of that analysis, traffic surveys are undertaken. In addition, monitoring of the existing locations to determine their ongoing need will also require periodic traffic surveys.

The expenses related to the undertaking and analysis of these surveys would range from \$6,000 to \$10,000 a year if contracted out.

Police Vulnerable Sector Check

The existing contractor is currently not charged the cost for a Police Vulnerable Sector Check (PVSC) as the contractor is essentially working for the LPS. In the event that the City is delivering the program, the standard process for undertaking a PVSC would have to be followed and the expense would be borne by the City.

A police record check is current as of the date it is completed. As the potential new administrator of the contract, the City would assume the liabilities of the existing contractor employees and from a due diligence perspective should require new record checks to minimize our liability. On a yearly basis, new checks would be required for new hires required as a result of new locations or replacements.

There are 130+ number of contractor employees which would result in a potential cost of approximately \$5,000. There will have to be an arrangement between the City and LPS to deal with any potential changes to the PVSC status through the course of the year to flag any instances that may raise concerns.

School Crossing Guard Justification and Approval

In order to determine where school crossing guards are required the "School Crossing Guard Guide" prepared by the Ontario Traffic Conference and a review of best practices of other municipalities was used to develop a warrant system. The warrant process considers the number of students using the crossing, the volume of vehicles, the number of safe gaps for students to cross, the number of collisions that may be corrected by the use of a SCG and the existing traffic control at the crossing. The proposed warrant system is included in Appendix "A".

It is recommended that the Managing Director of Environmental & Engineering Services and City Engineer (or designate) be delegated the authority to approve the implementation of a SCGP based on the approved warranted system.

It should be noted that if a member of the public disagrees with the decision of the Managing Director then they may appeal to Council for reconsideration.

SUMMARY

The disengagement of the SCGP by the London Police Services Board on August 31st 2013 and assumption of the program by the City will require a number of Council decisions.

It is recommended that a SCGP be implemented by the City and a service delivery review be undertaken to identify the appropriate method of undertaking the program in the long term.

In order to allow for a seamless transition and in order to undertake the service delivery review, additional time is required. In order to enable this, it is recommended that the Civic Administration be directed to negotiate a single source agreement with the existing contractor for a one year period ending on August 31st 2014.

It is recommended that Municipal Council adopt the warrant system and process for managing the locations of School Crossing Guards contained in Appendix "A" and that the Managing Director of Environmental & Engineering Services and City Engineer (or designate) be delegated the authority to add or remove SCG locations based on the warrant system.

Acknowledgements

This report has been developed with the assistance of the Legal Department, Risk Management, Human Resources and Finance.

PREPARED BY:	REVIEWED & CONCURRED BY:
SHANE MAGUIRE, P. ENG. DIVISION MANAGER ROADWAY LIGHTING & TRAFFIC CONTROL	EDWARD SOLDO, P.ENG. DIRECTOR, ROADS AND TRANSPORTATION
RECOMMENDED BY:	RECOMMENDED BY:
MARTIN HAYWARD MANAGING DIRECTOR, CORPORATE SERVICES & CITY TREASURER, CHIEF FINANCIAL OFFICER	JOHN BRAAM, P.ENG. MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES AND CITY ENGINEER

June 3, 2013

Attached

Appendix "A" – By-law to Implement a School Crossing Guard Program
Appendix "B" - Report from the Chief of Police regarding the existing School
Crossing Guard Program and letter from Chair, London Police Services Board
Appendix "C" – School Crossing Guard Program Delivery Summary
Appendix "D" – Letter from Stinson Security Services Limited

cc. London Police Services Board

Bill No. 283
2013

By-law No. A.-_____

A by-law to implement a new Council Policy related to creating a School Crossing Guard Program.

WHEREAS the Council of The Corporation of the City of London wishes to implement a new Council Policy related to creating a School Crossing Guard Program;

AND WHEREAS section 5(3) of the *Municipal Act*, 2001, as amended, provides that a municipal power shall be exercised by by-law;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The Policy attached hereto as Schedule "1" is approved.
2. The Managing Director of Environmental & Engineering Services and City Engineer (or designate) is delegated the authority to add and remove school crossing guard locations.
3. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on June 25, 2013

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading – June 25, 2013
Second Reading – June 25, 2013
Third Reading – June 25, 2013

SCHEDULE “1”

SCHOOL CROSSING GUARD PROGRAM (SCGP)

The City provides school crossing guards at locations along pedestrian routes to elementary schools in accordance with Council approved warrant criteria.

The City may receive requests for new school crossing guard locations from a school board (due to the planned opening of a new school or expansion to an existing school), or from an interested party (due to an existing condition).

Purpose

The purpose of the School Crossing Guard Program procedure is to outline a process for implementing and discontinuing school crossing guard locations with the City of London. The procedure applies to all municipal roadways and applicable elementary schools with the city.

Approval Process

The Managing Director of Environmental & Engineering Services and City Engineer (or designate) is the delegate authority to add and remove school crossing guard locations.

New school crossing guard location requests would be reviewed as follows:

1. Perform a warrant assessment based on projected (for future) or observed (for existing) pedestrian activity and other pertinent factors.
2. If the criteria are met, the new school crossing guard location is supported, administration would:
 - a) request funding approval from Council for staffing the new crossing guard location (if required); and
 - b) notify the school board and/or interested party that the request has been approved.
3. If the criteria are not met, traffic engineering staff shall notify the school board and/or the interested party that the request for the new school crossing guard location is denied.

Removal of Existing School Crossing Guard Locations

1. Periodic monitoring of locations with school crossing guards will be undertaken and documented to ensure compliance with the warrant.
2. A location whose warrant compliance value is at or below 20% of the criteria shall undergo a supplementary review in the following year. If found to be at or below 20% of the criteria for two consecutive years, the annual operating budget for that location, shall be removed for the forthcoming school year. During the current school year, administration shall notify the affected school, school board and the Ward councillors of the school crossing guard location removal.
3. A location whose warrant compliance value falls in the range of 21% to 50% shall be placed in a watch list, monitored annually and assessed for ongoing trends.
4. A location whose warrant compliance value is above 50% shall be monitored approximately once every 3 years.
5. Upon receipt of notification from a school board that a school crossing guard location is no longer required, due to a school closure or boundary change, the school crossing guard location shall be removed.

Warrant for Mid-block Crosswalks:

Warrant	Description	Requirement	Compliance	
			Study Result	%
1. Pedestrian Volume	Volume of unassisted children attending Junior Kindergarten to Grade 6 during the highest peak hour of the three hour school study periods (am peak, mid-day peak, pm peak)	>50		
2. Safe Crossing Gaps	Number of safe crossing gaps in a 5-minute period.	<4		
OR				
3. Collision History	The average number of reported collisions that are susceptible to correction by a School Crossing Guard over a 3 year period.	>3		

Notes: 1. Posted speed limit is less than or equal to 60 km/hr.

1.

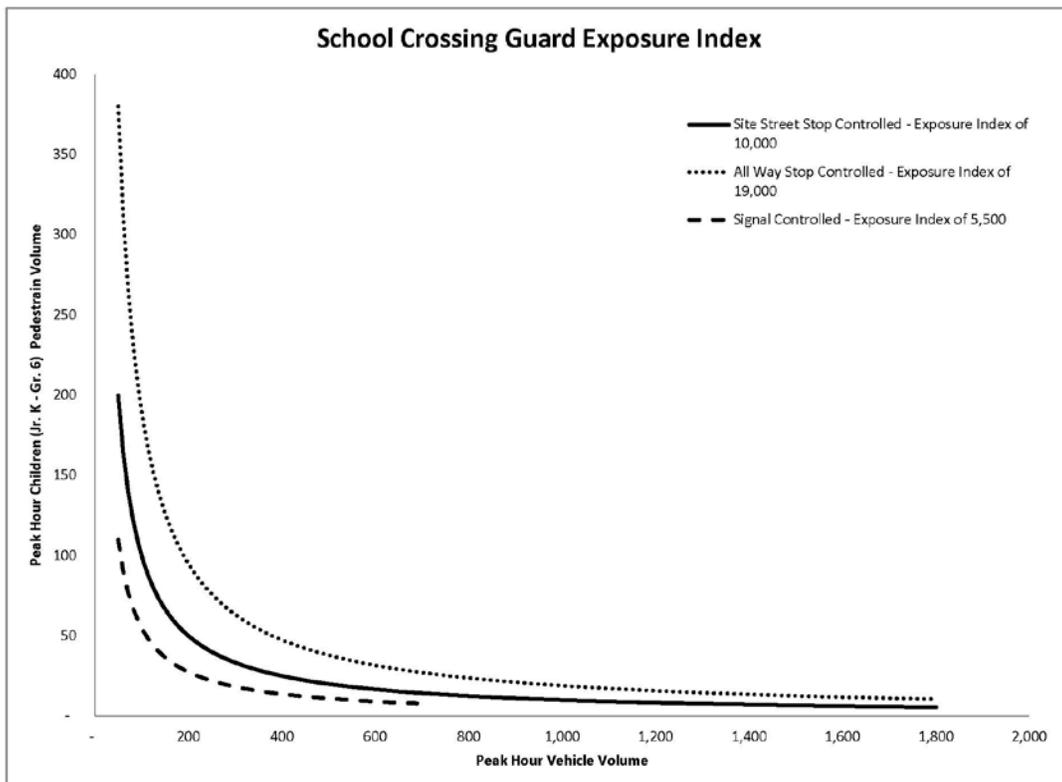
$$\text{Safe Gap} = \frac{\text{Width of Crossing}}{\text{Average Walking Speed (1.1m/sec)}} + \text{Perception \& Reaction Time (4 sec)}$$

2. School Crossing Guard is warrant is fulfilled if Warrant #1 and Warrant #2 or Warrant #1 and Warrant #3 are satisfied.

Warrant for Intersections:

Warrant	Description	Minimum Requirements			Compliance	
		Side Street Stop Control	All-way Stop Control	Traffic Signal	Study Result	%
1. Minimum Vehicular & Pedestrian Volume	Exposure Index of vehicle and pedestrian volume during the highest peak hour of the three hour school study periods (am peak, mid-day peak, pm peak)	10,000	19,000	5,500		
2. Collision History	The average number of reported collisions that are susceptible to correction by a School Crossing Guard over a 3 year period.	3				
3. Combined Warrant	Warrant #1 and Warrant #2	≥ 80%				

- Notes:
1. Pedestrian Volume is unassisted children attending Jr. Kindergarten to Grade 6.
 3. Exposure Index = Vehicle Volume X Pedestrian Volume
 4. Posted speed limit is less than or equal to 60 km/hr.
 5. For traffic signals the volume of traffic is the number of turning vehicles that conflict with pedestrians in the crosswalk.



Appendix "B"
Report from the Chief of Police regarding the existing School Crossing Guard Program



MEMORANDUM

Executive Office NO: 13-41

Crossing Guard Program		
TO Chair and Members, London Police Services Board		FROM Chief of Police
DATE ISSUED April 5, 2013	DATE EFFECTIVE April 5, 2013	PAGE 1 of 1

The London Police Service annual operating budget includes the cost for crossing guards in the City of London. Currently the crossing guard program is under contract with Stinson Security Services Limited. Stinson Security has done an excellent job hiring and maintaining qualified persons for these positions.

Presently, the London Police Service is one of only three police services in the Province of Ontario that are still engaged in the administration of the crossing guard program. At a time when the cost of policing is rising and questions are being raised about sustainability, police services are being called upon to examine the services and programs they are engaged in and concentrate on core functions. The responsibility for crossing guards is found under Section 176 of the **Highway Traffic Act** which states, "Crossing guards must be employed by a municipality or employed by a corporation under contract with a municipality to provide the services of a school crossing guard".

The administration of the crossing guard program is not a core or mandated police function and legislatively is a responsibility of the municipality. There are inherent risks associated to the required traffic studies that must be undertaken when reviewing the need to deny, remove or add a crossing. Without further training of LPS members to limit those liabilities, the administration of the program can be turned over to the appropriate department within the Municipality that already have expertise in traffic studies.

As directed by the Board, LPS Administration have met with the City of London to ensure an efficient and effective transition of the program before we disengage. The date for this transition has not been determined but further information will be provided to the Board when this occurs.

Recommendation

That the Board approve that the London Police Service disengage from administering the crossing guard program by no later than September 1, 2013.

Brad Duncan, M.O.M.
Chief of Police



LONDON POLICE SERVICES BOARD

May 23, 2013

Ms. Cathy Saunders, City Clerk
The Corporation of the City of London,
300 Dufferin Avenue,
London, Ontario N6B 1Z2

Dear Ms. Saunders:

Re: School Crossing Guard Program

The London Police Services Board (LPSB) met on May 16th, 2013 and discussed Municipal Council's May 15, 2013 letter requesting an extension to the existing contract for the School Crossing Guard Program, to December 31, 2013.

The London Police Service (LPS) is not in a position to continue to oversee the School Crossing Guard Program, nor grant the requested extension. The LPSB has directed that the LPS disengage from administering the School Crossing Guard Program by no later than September 1, 2013, as previously communicated to Municipal Council. This date coincides with the August 31, 2013 end date for the current contract.

The duties related to overseeing the Crossing Guard Program have been absorbed into the roles of our Community Services staff. Council reduced London Police Service's budget request by \$640,000 for 2013. The Service is studying how this funding reduction will affect the services we offer.

Given the financial climate we find ourselves in, we have undertaken a structural review of our entire operation. The School Crossing Guard Program is not a core police function and the responsibility is that of the municipality in accordance with the Highway Traffic Act. As was previously communicated to City Administration, the London Police Service was one of three remaining Ontario police services still operating the School Crossing Guard Program. We simply do not have the resources to continue to oversee this program nor do we have the ability to absorb the costs associated with any potentially negotiated contractual increases with the third party provider.

The LPS Administration would be pleased to work with City Administration to support this transition and ensure that it is seamless for the community.

Thank you.

A handwritten signature in black ink, appearing to read 'Michael Deeb', written over a light blue horizontal line.

Michael Deeb,
Chair, London Police Services Board

601 Dundas Street, P.O. Box 3415, London, Ontario, N6A 4K9
Tel.: (519) 661-5646 Fax: (519) 661-1053
Email: lpsb@police.london.ca

--	--

**APPENDIX “C”
SCHOOL CROSSING GUARD PROGRAM DELIVERY SUMMARY**

Municipality	London	Sarnia	Brantford	Windsor	Burlington	Hamilton	Milton	Mississauga	Guelph
Number of Locations	106	36	55	64	96	213	35	162	28
Budget	\$1,049,242 (contract cost only)	\$349,231	\$394,721	\$500,000 (guards only)	\$1,122,274	\$2,117,470	\$443,655	\$2,783,000	\$138,000 (guards only)
Service Delivery	Contract	Contract	Police Services Board	In-house	In house	In-house	In-house	In-house	In-house
Cost per Location	\$9,899	\$9,701	\$7,177	\$7,246	\$11,690	\$9,941	\$12,676	\$17,179	\$4,929

--	--

Appendix "D"



GEORGE E. STINSON
CEO
Former British Ministry of
Defence (R.A.F.) and N.A.T.O.

DAVID R. STINSON
President

SHANA-LII STINSON
Vice President

STINSON SECURITY SERVICES LIMITED

May 30 2013

Mr. Edward Soldo, P. Eng.
Director of Roads and Transportation
City of London
300 Dufferin Ave.
P.O. Box 5035

Dear Mr. Soldo,

Further to our recent conversation this letter is to confirm Stinson Security Services Limited's position on a one year extension of the current School Crossing contract with London Police Services.

Stinson Security is in full agreement to continue the current service as per the contract for the period of Aug 31 2013 to August 31 2014. The billing rates for the 2012/2013 school year would not change and remain as is for the extension year of 2013/2014.

The current figures in use are:

Supervisor - hourly rate - \$23.63/hr and total yearly billing approximately \$55,199.68 plus HST.

Crossing guard - hourly rate - \$15.93 and total yearly billing approximately \$920,084.14 plus HST.

Should you have any further questions please contact me.

Sincerely,



Dave Stinson
President