



The Regional Municipality of Durham

Works Committee Agenda

Wednesday, June 7, 2023, 9:30 a.m.

Regional Council Chambers

Regional Headquarters Building

605 Rossland Road East, Whitby

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2097.

Note: This meeting will be held in a hybrid meeting format with electronic and in-person participation. Committee meetings may be [viewed via live streaming](#).

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9. Advisory Committee Resolutions

There are no advisory committee resolutions to be considered

10. Confidential Matters

There are no confidential matters to be considered

11. Other Business

12. Date of Next Meeting

Wednesday, September 6, 2023 at 9:30 AM

13. Adjournment

Notice regarding collection, use and disclosure of personal information:

Written information (either paper or electronic) that you send to Durham Regional Council or Committees, including home address, phone numbers and email addresses, will become part of the public record. This also includes oral submissions at meetings. If you have any questions about the collection of information, please contact the Regional Clerk/Director of Legislative Services.

The Regional Municipality of Durham

MINUTES

WORKS COMMITTEE

Wednesday, May 3, 2023

A regular meeting of the Works Committee was held on Wednesday, May 3, 2023 in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:32 AM. Electronic participation was offered for this meeting.

1. Roll Call

Present: Councillor Marimpietri, Vice-Chair
Councillor Cook*
Councillor Nicholson*
Councillor Yamada*
Regional Chair Henry attended the meeting at 9:34 AM
***denotes Councillors participating electronically**

Absent: Councillor Barton, Chair was absent on municipal business
Councillor Crawford was absent on municipal business
Councillor Mulcahy was absent on municipal business

Also

Present: Councillor Foster
Councillor Pickles
Councillor Schummer
Councillor Wotten

Staff

Present: E. Baxter-Trahair, Chief Administrative Officer
J. Demanuele, Director of Corporate Infrastructure and Strategic Business Services, Works Department
A. Evans, Director of Waste Management
M. Hubble, Director of Environmental Services
R. Inacio, Systems Support Specialist, Corporate Services – IT
R. Jagannathan, Director of Transportation and Field Services
N. Taylor, Commissioner of Finance
N. Prasad, Assistant Secretary to Council, Corporate Services – Legislative Services
S. Ciani, Committee Clerk, Corporate Services – Legislative Services

In the absence of Chair Barton, Vice-Chair Marimpietri chaired the meeting.

2. Declarations of Interest

There were no declarations of interest.

3. Adoption of Minutes

Moved by Regional Chair Henry, Seconded by Councillor Cook,
(42) That the minutes of the regular Works Committee meeting held on
Wednesday, April 5, 2023, be adopted.
CARRIED

4. Statutory Public Meetings

There were no statutory public meetings.

5. Presentations

There were no presentations heard.

6. Delegations

There were no delegations heard.

7. Waste

7.1 Correspondence

There were no communication items considered.

7.2 Reports

**A) Energy from Waste – Waste Management Advisory Committee 2023-2024
Workplan (2023-WR-4)**

Report #2023-WR-4 from J. Presta, Commissioner of Works, was received.

Moved by Regional Chair Henry, Seconded by Councillor Cook,
(43) That we recommend to Council:

- A) That the Energy from Waste-Waste Management Advisory Committee's
2023 – 2024 Workplan, as outlined in Attachment #1 to Report #2023-WR-4
of the Commissioner of Works, be approved; and
- B) That a copy of Report #2023-WR-4 be forwarded to the Municipality of
Clarington for information.

CARRIED

8. Works

8.1 Correspondence

- A) Correspondence received from the Regional Chair dated May 3, 2023, re:
Certification of Proclamation – National Public Works Week
-

Moved by Regional Chair Henry, Seconded by Councillor Cook,

- (44) That the correspondence received from the Regional Chair dated May 3, 2023, regarding the Certification of Proclamation for National Public Works Week, be received for information.

CARRIED

8.2 Reports

- A) Expropriation of Lands Required for the Adelaide Avenue Extension and Courtice Trunk Sanitary Sewer Phase 5 Projects from Townline Road to Trulls Road, in the City of Oshawa and the Municipality of Clarington (2023-W-16)
-

Report #2023-W-16 from J. Presta, Commissioner of Works, was received.

Moved by Regional Chair Henry, Seconded by Councillor Cook,

- (45) That we recommend to Council:

- A) That authority be granted to Regional Municipality of Durham staff to initiate expropriation proceedings where necessary with respect to the property requirements for the Adelaide Avenue (Regional Road 58) extension from Townline Road (Regional Road 55) in the City of Oshawa to Trulls Road in the Municipality of Clarington, and the construction of Courtice Trunk Sanitary Sewer Phase 5 along the same route (each a “Project”) as depicted in Attachment #1 of Report #2023-W-16 of the Commissioner of Works, and other property requirements as may be determined and identified by Regional Municipality of Durham staff required for the said Projects;
- B) That authority be granted to the Regional Clerk and the Regional Chair to execute any notices and forms as may be statutorily mandated by the *Expropriations Act*, R.S.O. 1990, c. E26 to give effect to Recommendation C in Report #2023-W-16, including the Notices of Application of approval to Expropriate;
- C) That authority be granted to Regional Municipality of Durham staff to serve and publish Notices of Application for Approval to Expropriate the property requirements as described in Recommendation A of Report #2023-W-16 and to forward to the Ontario Land Tribunal any requests for hearing that is received, to attend the hearings to present the Regional Municipality of Durham’s position, and to present the Ontario Land Tribunal’s recommendations to Regional Council for consideration; and

- D) That all agreements successfully negotiated and reports required for amicable property acquisitions and all agreements and reports required for settlements pursuant to the *Expropriations Act*, R.S.O. 1990, c. E. 26 related to the Adelaide Avenue extension project and the Courtice Trunk Sanitary Sewer (Phase 5) project approved in accordance with the Delegation of Authority By-law 04-2023 or by Regional Council, be deemed confidential for any reporting requirements to Regional Council pursuant to section 239 (2)(c) of the *Municipal Act*, 2001, S.O. 2001, c. 25, as it relates to a proposed or pending acquisition or disposition of land for Regional corporate purposes, and only be released publicly by the Commissioner of Works once all compensation claims have been resolved on a full and final basis.

CARRIED

- B) Expropriation of Lands Required for the Townline Road North Reconstruction and Widening from Beatrice Street to Taunton Road, in the City of Oshawa and Municipality of Clarington (2023-W-17)
-

Report #2023-W-17 from J. Presta, Commissioner of Works, was received.

Moved by Regional Chair Henry, Seconded by Councillor Cook,
(46) That we recommend to Council:

- A) That authority be granted to Regional Municipality of Durham staff to initiate expropriation proceedings where necessary with respect to the property requirements for the proposed Townline Road North (Regional Road 55) Reconstruction and Widening Project, impacting both the east and west sides of Townline Road from Beatrice Street to Taunton Road (Regional Road 4), in the City of Oshawa and the Municipality of Clarington (the "Project") as depicted in Attachment #1 of Report #2023-W-17 of the Commissioner of Works, and as such other property requirements as may be determined and identified by Regional Municipality of Durham staff required for the said Project;
- B) That authority be granted to the Regional Clerk and the Regional Chair to execute any notices and forms as may be statutorily mandated by the *Expropriations Act*, R.S.O. 1990, c. E.26 to give effect to Recommendation C in Report #2023-W-17, including the Notices of Application of Approval to Expropriate;
- C) That authority be granted to Regional Municipality of Durham staff to serve and publish Notices of Application for Approval to Expropriate the property requirements as described in Recommendation A of Report #2023-W-17, and to forward to the Ontario Land Tribunal any requests for hearing received, to attend the hearings to present the Regional Municipality of Durham's position, and to present the Ontario Land Tribunal's recommendations to Regional Council for consideration; and

- D) That all agreements successfully negotiated and reports required for amicable property acquisitions and all agreements and reports required for settlements pursuant to the Expropriations Act, R.S.O. 1990, c. E. 26 related to the Townline Road North Reconstruction Project approved in accordance with the Delegation of Authority By-law 04-2023 or by Regional Council, be deemed confidential for any reporting requirements to Regional Council pursuant to section 239 (2)(c) of the Municipal Act, 2001, S.O. 2001, c. 25, as it relates to a proposed or pending acquisition or disposition of land for Regional corporate purposes, and only be released publicly by the Commissioner of Works once all compensation claims have been resolved on a full and final basis.

CARRIED

- C) Standardization of Office Workstation Furniture and Demountable Wall Systems for all Regional Municipality of Durham Facilities (2023-W-18)

Report #2023-W-18 from J. Presta, Commissioner of Works, was received.

Moved by Regional Chair Henry, Seconded by Councillor Cook,
(47) That we recommend to Council:

- A) That Teknion Leverage Workstation System furniture continue as the standard for modular workstation furniture installations within the Regional Municipality of Durham's facilities and for all new construction projects requiring modular workstation furniture for a ten-year term beginning July 1, 2023 and ending June 30, 2033, with the supply and installation services to be competitively tendered to Teknion authorized furniture dealers;
- B) That Teknion Tek Vue Demountable Wall System be adopted as the standard for demountable wall system installations within the Regional Municipality of Durham's facilities and for all new construction projects requiring demountable wall systems for a ten-year term beginning July 1, 2023 and ending June 30, 2033; and
- C) That a negotiated sole source agreement with Teknion for the provision of a fixed pricing discount structure for a period of up to a five-year period and renewed for an additional five-year period at an annual cost of approximately \$2,000,000 be approved, with financing provided through Capital Projects approved in the annual Business Plans and Budgets.

CARRIED

9. **Advisory Committee Resolutions**

There were no advisory committee resolutions to be considered.

10. Confidential Matters

There were no confidential matters to be considered.

11. Other Business

There was no other business to be considered.

12. Date of Next Meeting

The next regularly scheduled Works Committee meeting will be held on Wednesday, June 7, 2023 at 9:30 AM in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby.

13. Adjournment

Moved by Regional Chair Henry, Seconded by Councillor Cook,
(48) That the meeting be adjourned.

CARRIED

The meeting adjourned at 9:39 AM

Respectfully submitted,

T-D. Marimpietri, Vice-Chair

S. Ciani, Committee Clerk



The Regional Municipality of Durham Report

To: Works Committee
From: Acting Commissioner of Works
Report: #2023-WR-5
Date: June 7, 2023

Subject:

Approval of a Curbside Swap Day Pilot in Local Area Municipalities in the Regional Municipality of Durham

Recommendations:

That the Works Committee recommends to Regional Council:

- A) That Regional Council approve a pilot one-day Curbside Swap Day in local area municipalities where the Regional Municipality of Durham is responsible for waste collection to promote the reuse of household items; and
 - B) That a copy of this report be forwarded to the City of Oshawa and the Town of Whitby to determine if there is an interest in participating in the proposed one-day Curbside Swap Day.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to obtain approval for and to outline the operational parameters for a one-day Curbside Swap Day to promote the reuse of household items and consider the purchase of used items before buying new.

2. Background

- 2.1 In 2022, the Regional Municipality of Durham (Region) adopted a new Long-term Waste Management Plan 2022-2040 (Waste Plan) that includes a focus on the

5Rs (Rethink, Reduce, Reuse, Recycle, Recover) to reduce the quantity of waste we create, which is objective two of the Waste Plan.

- 2.2 The Region has previously supported waste reduction and reuse initiatives by hosting seasonal reuse events where residents can drop off unwanted useable household goods for donation and allowing charitable clothing donation boxes at Waste Management Facilities.

3. Previous Reports and Decisions

- 3.1 Report [#2022-WR-1](#) titled 'Long-term Waste Management Plan 2021 Consultation, Final Long-term Waste Management Plan 2021 to 2040 and first Five-Year Action Plan' resulted in Regional Council endorsement of the Long-term Waste Management Plan 2022-2040 with actions to support the objective to reduce the quantity of waste we create.

4. Pilot Curbside Swap Day

- 4.1 A Curbside Swap Day is a low-cost way for the Region to promote an attitude of "Reduce and Reuse" and encourage residents to donate items or consider purchasing gently used items before buying new. Both approaches contribute to reducing the quantity of waste generated.
- 4.2 Staff propose a pilot Curbside Swap Day be held on September 16, 2023 (Saturday), with September 23, 2023, as a rain date. This date is chosen to avoid peak Leaf and Yard waste generation and collection times and before the weather becomes colder.
- 4.3 The following key messages are proposed as parameters for the Curbside Swap Day:
- a. Residents are encouraged to visit the Curbside Swap Day event page and indicate their participation.
 - b. Residents should put gently used but still usable items on the curb after 7 a.m. and remove items by 7 p.m. the same day.
 - c. Items still available at the end of the day should be donated to local thrift stores or reuse centers. The Region's [Reduce and Reuse](#) webpage has suggestions.

- d. Material left at the curb after the Curbside Swap Day event will be subject to by-law enforcement.
 - e. Baby items such as car seats and cribs should not be placed at the curb for safety reasons.
 - f. For additional guidance: [Facts for Garage Sale Vendors - Canada.ca](https://www.factsforgaragesalevendors.com/)
- 4.4 Staff-level discussions have taken place with the City of Oshawa and the Town of Whitby regarding their interest in participating in a Region promoted Curbside Swap Day. A copy of this report will be shared to reassess interest in participating, however, the City of Oshawa and the Town of Whitby have local approval processes that must be followed. If the City of Oshawa and the Town of Whitby choose to participate, the Region will coordinate with the appropriate staff.
- 4.5 Several Ontario communities promote curbside swap days at various times of the year and do not report significant levels of litter or material being left at the curb immediately following the event. Comparable results are expected for a Regional event; however, by-law enforcement officers will be prepared to remind residents to remove items from the curb as necessary in the week following the event.

5. Measuring Participation

- 5.1 The Region does not currently measure reuse activities that occur outside the seasonal Reuse Days hosted in partnership with local area municipalities on a rotating basis.
- 5.2 Direct measurement of resident participation in a Curbside Swap Day is not practical, however, there are several approaches to gauging the level of support:
- a. The number and collected tonnes of curbside bulky item appointments are tracked for the Municipality of Clarington, Brock Township, Scugog Township and Uxbridge. September 2022 data for these local area municipalities will be compared to September 2023 data for any change in volume.
 - b. The Curbside Swap Day event page and/or Waste App will include the option for residents to indicate participation in the event allowing the Region to track the number of residents that express interest.
 - c. Following the Curbside Swap Day, a brief survey will be distributed through the Waste App, social media and the Region's webpage to seek resident feedback on participation.

6. Swap Days in Other Municipalities

6.1 Several Ontario municipalities promote Curbside Swap Days in their communities. The following information was obtained through a website review:

- a. The City of Kingston promotes four Giveaway Days in April, June, and October each year. Residents are required to remove items from the curb by 6 p.m. on Saturday.
- b. The City of Guelph promotes two Goods Exchange Weekends each year in the spring and fall. Residents are encouraged to set out reusable goods after 5 p.m. on Friday and remove any untaken items by 7 p.m. on Monday.
- c. York Region promotes Curbside Giveaway Days with tips on its webpage. Each local area municipality selects the dates and number of events for their area. In 2023 all local area municipalities in York Region are promoting Curbside Giveaway Days except for one.
- d. The City of Vaughan promotes six Curbside Giveaway Days each year with items allowed to be set out after 7 a.m. on Saturday. Untaken items must be removed from the curb by 5 p.m. on Sunday.
- e. The City of Belleville started a Giveaway Day in 2021 that was initiated by the Green Task Force made up of citizens and councillor members. Items are permitted to be set out for giveaway between 8 a.m. and 8 p.m. on the designated day.
- f. Niagara Falls promotes a Community Curbside Giveaway Day on two Saturdays a year. Items not taken by other residents must be removed from the curb by 5 p.m. on Saturday.
- g. Second-hand Sunday is promoted by a charitable group in the City of Toronto. The group has recently partnered with the City of Toronto to expand into more neighbourhoods.

6.2 Staff reached out to several of the above municipalities for lessons learned and received information from two. Both municipalities indicated material being left at the curb was not a major concern and that participants were responsive to following the parameters outlined for the event.

6.3 The municipalities contacted also indicated no efforts were made to track participation or the quantity of material diverted from disposal.

7. Relationship to Strategic Plan

7.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:

- a. Goal 1.2 Increase waste diversion and resource recovery

8. Conclusion

8.1 Curbside Swap Days are a low-cost way to promote Reduce and Reuse activities in the Regional Municipality of Durham. A one-day pilot will allow staff to evaluate the logistics and impact of a Curbside Swap Day promoted by the Regional Municipality of Durham.

8.2 Other Ontario municipalities that promote Curbside Swap or Giveaway Days do not report significant levels of dumping or material left at the curb following the designated event day.

8.3 Staff will use online tools to measure resident interest leading up to the event and to evaluate levels of participation following the day. Monitoring and feedback from the event will be used to assess the feasibility for inclusion as a regular event.

8.4 For additional information, contact: Andrew Evans, Director, Waste Management Services at 905-668-7711, extension 4102.

Respectfully submitted,

Original signed by:

Ramesh Jagannathan
MBA, M.Eng., P.Eng., PTOE
Acting Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Works Committee
From: Acting Commissioner of Works
Report: #2023-WR-6
Date: June 7, 2023

Subject:

Request to Execute Sole Source Agreement with Product Care Association of Canada

Recommendation:

That the Works Committee recommends to Regional Council that the Commissioner of Finance be authorized to execute a sole source agreement with Product Care Association for the collection and management of Hazardous and Special Products (HSP) for a five (5) year term at an estimated compensation to the Region of \$335,000 annually (estimated \$1.68 million in compensation to the Region over the five-year term), and subject to termination with ninety days (90) notice by either party.

Report:

1. Purpose

- 1.1 This report seeks Regional Municipality of Durham (Region) Council approval for the Commissioner of Finance to execute a sole source agreement with Product Care Association as a Producer Responsibility Organization for a five-year term effective January 1, 2023, to secure continuous funding and environmentally responsible collection and disposal of Municipal Hazardous and Special Waste.

2. Background

- 2.1 The Region accepts Municipal Hazardous and Special Waste (MHSW) from Durham residents at three Waste Management Facilities (WMFs), the Clarington Household and Special Waste Depot, and a sub-contracted MHSW depot in the City of Pickering. The Region also collects MHSW at four collection events annually with locations rotating throughout the eight lower-tier municipalities.

- 2.2 On October 1, 2021, Ontario Regulation 449/21 Hazardous and Special Products (HSP) came into effect with the Regulation taking full effect on January 1, 2023, which makes producers of hazardous materials financially and operationally accountable for products supplied to the market. Producer-obligated materials included in the HSP regulation are:
- a. Category A: Non-refillable pressurized containers (NRPCs) and oil filters
 - b. Category B: Refillable pressurized containers, anti-freeze, oil containers, paints and coatings, solvents, and pesticides
 - c. Category C: Mercury-containing thermometers, thermostats, and barometers
 - d. Category D: Fertilizers
 - e. Category E: Refillable propane containers
- 2.3 In 2022, the Region diverted over 1,200 tonnes of MHSW materials from the residential waste stream of which approximately 50 percent was producer obligated HSP materials. MHSW encompasses all household hazardous waste materials, whereas HSP only includes materials designated in the HSP regulation.
- 2.4 The Region has contracted Product Care Association of Canada (PCA) since 2015 to oversee the hauling, processing, recycling, and/or disposal of types of producer-obligated HSP at Regional collection sites and community events, during which time several amendments were made to the original agreement.
- 2.5 PCA is a registered Producer Responsibility Organization (PRO) contracted by producers to provide collection, management, and administrative services for HSP materials across the province and to meet regulatory obligations under the HSP Regulation.
- 2.6 PCA represents over 700 producer members and has managed 17 producer responsibility programs in nine (9) provinces across Canada since 1994. The Region contracts PCA for the management of paints, pesticides, and solvents collected at Durham Region collection sites and events.
- 2.7 The Region receives compensation from PCA to collect, transport, and dispose of obligated materials on behalf of producers.
- 2.8 The new agreement with PCA will be retroactive to January 1, 2023, and subject to termination by either party with ninety (90) days' written notice with an automatic annual renewal on January 1, 2024. This will ensure service continuity and funding of the HSP program. The proposed agreement would expire December 31, 2027.

3. Previous Reports and Decisions

- 3.1 Works Committee Report #2021-WR-9 provided an update to the Municipal Hazardous or Special Waste (MHSW) transition to Extended Producer Responsibility (EPR) and requested extension of Standing Agreements C002769 and C002745 with Photech Environmental Solutions Inc. for MHSW collection and haulage.
- 3.2 Information Report #2021-INFO-27, *Staff Comments on Proposed Hazardous and Special Products (HSP) Regulation ERO #019-2826*, provided an update on the proposed producer responsibility regulation for Hazardous Special Products and implications to the Regional MHSW program.
- 3.3 Information Report #2018-INFO-73, *Update on the Transition of Diversion Programs under the Waste-Free Ontario Act*, provided an update on the transition of diversion programs for tires, Waste Electronics and Electrical Equipment (WEEE) and Municipal Hazardous and Special Waste (MHSW) under the Waste-free Ontario Act.
- 3.4 Committee of the Whole Report #2017-COW-178, provided an update on the Region's participation and opportunities to influence the implementation of the *Waste Diversion Transition Act, 2016*, the *Resource Recovery and Circular Economy Act, 2016*, and the Ministry of the Environment and Climate Change's Strategy for a Waste-Free Ontario: Building the Circular Economy.

4. General Market Analysis

- 4.1 Region staff have conducted market research with registered HSP PROs to understand how each PRO plans to administer and fund the collection and management of HSP materials and services offered.
- 4.2 There are currently seven registered HSP PROs, including PCA and Automotive Material Stewardship (AMS). The Region has contracted with AMS since 2017 for the collection and management of oil filters, oil containers, and anti-freeze.
- 4.3 Resources, administrative processes, services offered (i.e. depot or event collection), and compensation per HSP material type varies by PRO. **PCA is the only PRO currently offering the full suite of services required by the Region.**
- 4.4 PROs canvassed by the Region were either not interested in conducting business with the Region, did not have the producer or logistic capacity to collect and

manage the quantities of HSP materials collected at the Region's depots and events, or only offer services for a type of HSP (i.e. only propane tanks or only thermostats) which would significantly increase administrative burden.

- 4.5 Staff will continue to monitor market conditions for opportunities to engage with HSP PROs.

5. Financial implications

- 5.1 PCA's new agreement converts the current financial compensation model into a "per kilogram" rate per HSP material type collected, whereby collection sites that recover higher quantities of HSP materials receive higher compensation. Changes to the compensation model will result in a loss of funding to the Region of \$230,000 annually compared to previous years.
- 5.2 Notwithstanding, staff negotiated with PCA to continue funding the transportation and disposal of paints and coatings at the Scugog WMF, which is currently not required as a collection site under the Regulation at an estimated annual value of \$300,000.
- 5.3 Not executing the proposed agreement with PCA for all PCA HSP material types, transportation and disposal of these materials will result in a cost increase to the Region of approximately \$600,000 annually due to loss of funding, increased costs to transport and dispose of paints and coatings at the Scugog WMF, and to transport and dispose of other HSP materials collected at depots and events currently funded by PCA.
- 5.4 PCA will continue to partially reimburse the Region for collection, transportation, and disposal of producer-obligated paints, solvents, and pesticides at an estimated annual amount of approximately \$335,000 to the Region, in addition to the value provided by continuing to collect from the Scugog WMF.

6. Relationship to Strategic Plan

- 6.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:
- a. Goal 1: Environmental Sustainability
 - 1.2 Increase waste reduction and resource recovery

7. Conclusion

- 7.1 Staff recommends entering into a new agreement with Product Care Association of Canada effective January 1, 2023 for a five (5) year term, subject to termination with ninety (90) days' notice from either party, to ensure service continuity for Region of Durham's residents, continuous program funding and proper collection and management of HSP and that the Commissioner of Finance be authorized to execute the new agreement with Product Care Association of Canada.
- 7.2 This report has been reviewed by the Finance Department.
- 7.3 For additional information, contact: Andrew Evans, Director, Waste Management, at 905-668-7711, extension 4102.

Respectfully submitted,

Original signed by:

Ramesh Jagannathan
MBA, M.Eng., P.Eng., PTOE
Acting Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Works Committee
From: Acting Commissioner of Works
Report: #2023-W-19
Date: June 7, 2023

Subject:

Revisions to the Regional Cost Sharing Agreement for the Replacement of the Pringle Creek Bridge on Brock Street South (Regional Road 46), in the Town of Whitby

Recommendation:

That the Works Committee recommends to Regional Council:

- A) That Regional Council authorize additional funding for construction of the Brock Street South Pringle Creek bridge crossing in the amount of \$330,000 through the existing servicing agreement between the Region and Brookfield Homes (Ontario) Whitby Limited, in keeping with the Statistics Canada Non-Residential Building Construction Price Index; and
- B) That the additional funding be provided by re-allocation of financing from approved projects as follows:

Previously Approved Financing:

Brock Street-Pringle Creek Bridge (Project ID: R1730)	
Bridge Rehabilitation Reserve	\$750,000

Proposed Reallocation:

Liverpool Road Over CNR Bridge (Project ID: R1630)	
Bridge Rehabilitation Reserve Fund	\$99,765

White's Creek Bridge (Project ID: R1827)

Bridge Rehabilitation Reserve Fund	\$62,048
CPR Simcoe Bridge North of Snowridge (Project ID: R2009)	
Bridge Rehabilitation Reserve Fund	\$78,575
Various Bridge Work (Project ID: R1727)	
Bridge Rehabilitation Reserve Fund	\$73,730
Trent Canada Overpass (Project ID: R1631)	
Bridge Rehabilitation Reserve Fund	<u>\$15,882</u>
Total Additional Regional Financing	<u>\$330,000</u>
Total Revised Project Financing	<u>\$1,080,000</u>

Report:**1. Purpose**

- 1.1 Brookfield Homes (Ontario) Whitby Limited (Brookfield) signed a Regional servicing agreement in 2017 to replace the existing bridge on Brock Street South, in the Town of Whitby (Whitby) over Pringle Creek with a new, longer-span bridge. Through the servicing agreement, the Regional Municipality of Durham (Region) committed to pay \$750,000 towards the project (Project ID: R1730, Bridge Rehab Reserve Fund - Brock Street-Pringle Creek Bridge). The purpose of this report is to seek approval for increased funding from the Region for this project.

2. Background

- 2.1 Brookfield owns developable lands on both sides of the existing Pringle Creek crossing on Brock Street South in Whitby (Attachment #1). The existing bridge opening size creates significant regulatory floodplain impacts on the upstream (east) side of the bridge. This significantly limits the amount of development which can occur on the Brookfield lands.
- 2.2 Brookfield wishes to reconstruct the bridge with an increased opening size which will decrease the floodplain impacts on the east side of the road and thereby increase the extent of developable lands in Brookfield's ownership.

- 2.3 In 2017, the Region entered into a servicing agreement with Brookfield. At the time of the agreement, staff conducted a condition assessment of the existing bridge. There were no plans to replace the structure at that time, however, the Region planned to rehabilitate the existing structure in 2020 at an estimated cost of \$750,000. Through the servicing agreement, the Region agreed to contribute this \$750,000 towards the bridge replacement's total estimated cost of \$3,150,000.
- 2.4 Since 2017, the estimated costs for the bridge replacement and related road improvements have increased substantially. The cost increases are due to delays caused by an extensive Environmental Assessment process with significant stakeholder engagement, as well as contamination issues in Pringle Creek and Whitby Harbour, poor quality soils surrounding the existing bridge and the requirement for soil improvement strategies, general increases in construction costs, and supply chain issues across all construction projects.
- 2.5 Brookfield estimates that the total project cost is now \$5,783,000, representing an 84 per cent increase above the original estimate. They have requested that the Region increase its contribution toward the bridge replacement to help offset this substantial cost increase.
- 2.6 The principle reflected in the servicing agreement with Brookfield and endorsed by Council in 2017 (Report #2017-COW-13) is that the Region would contribute toward the cost of the bridge replacement the amount that would otherwise be spent on rehabilitation of the existing bridge. Consistent with this principle, the Region proposes to increase the amount of its contribution to reflect the inflation in rehabilitation costs that would have occurred between 2017 and 2023.
- 2.7 Regional development charges are indexed annually using the Statistics Canada Non-Residential Building Construction Price Index. This compounded index between 2017 and 2023 is approximately 44 per cent. The Region's original \$750,000 total contribution is therefore proposed to be increased by 44 per cent to \$1,080,000, an increase of \$330,000.

3. Financial Implications

- 3.1 Section 15.3 of the Region of Durham's budget Management Policy states that where additional project financing in excess of \$250,000 is required in order to award a tender for capital work, an updated capital project approval report will be submitted to the applicable Standing Committee and Regional Council prior to the award of the applicable contract.

- 3.2 The recommended financing for the revised project budget of \$1,080,000 can be provided as follows:

Previously Approved Financing:

Brock Street-Pringle Creek Bridge (Project ID: R1730)	
Bridge Rehabilitation Reserve	\$750,000

Proposed Reallocation:

Liverpool Road Over CNR Bridge (Project ID: R1630)	
Bridge Rehabilitation Reserve Fund	\$99,765

White's Creek Bridge (Project ID: R1827)	
Bridge Rehabilitation Reserve Fund	\$62,048

CPR Simcoe Bridge North of Snowridge (Project ID: R2009)	
Bridge Rehabilitation Reserve Fund	\$78,575

Various Bridge Work (Project ID: R1727)	
Bridge Rehabilitation Reserve Fund	\$73,730

Trent Canada Overpass (Project ID: R1631)	
Bridge Rehabilitation Reserve Fund	<u>\$15,882</u>

Total Additional Regional Financing	<u>\$330,000</u>
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Total Revised Project Financing	<u>\$1,080,000</u>
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- 3.3 Funding is available for reallocation from the projects noted above as they are substantially completed with surplus funding remaining in the projects.

4. Previous Reports and Decisions

- 4.1 Report #2017-COW-13 "Proposed Regional Cost Sharing Agreement for the Replacement of the Pringle Creek Bridge on Brock Street South (Regional Road 46), in the Town of Whitby", approved by Regional Council on January 18, 2017 authorized the execution of a cost sharing agreement with Brookfield Homes (Ontario) Limited which required pre-budget approval for the commitment of Regional funds.

5. Relationship to Strategic Plan

- 5.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:
- a. Goal 5 Service Excellence – to provide exceptional value to Durham taxpayers through responsive, effective, and fiscally sustainable services delivery.
 - b. Priority 5.1 – Optimize resources and partnerships to deliver exceptional quality services and value.

6. Conclusion

- 6.1 It is recommended that Regional Council authorize additional funding towards the Brock Street South Pringle Creek bridge crossing in the amount of \$330,000 through the existing servicing agreement between the Regional Municipality of Durham and Brookfield Homes (Ontario) Whitby Limited, to recognize the significant cost increases for this project, in keeping with the Statistics Canada Non-Residential Building Construction Price Index.
- 6.2 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the financial recommendation.
- 6.3 For additional information, contact: Paul Gillespie, Manager Development Approvals, at 905-668-7711, extension 3443.

7. Attachments

7.1 Attachment #1: Location Plan

Respectfully submitted,

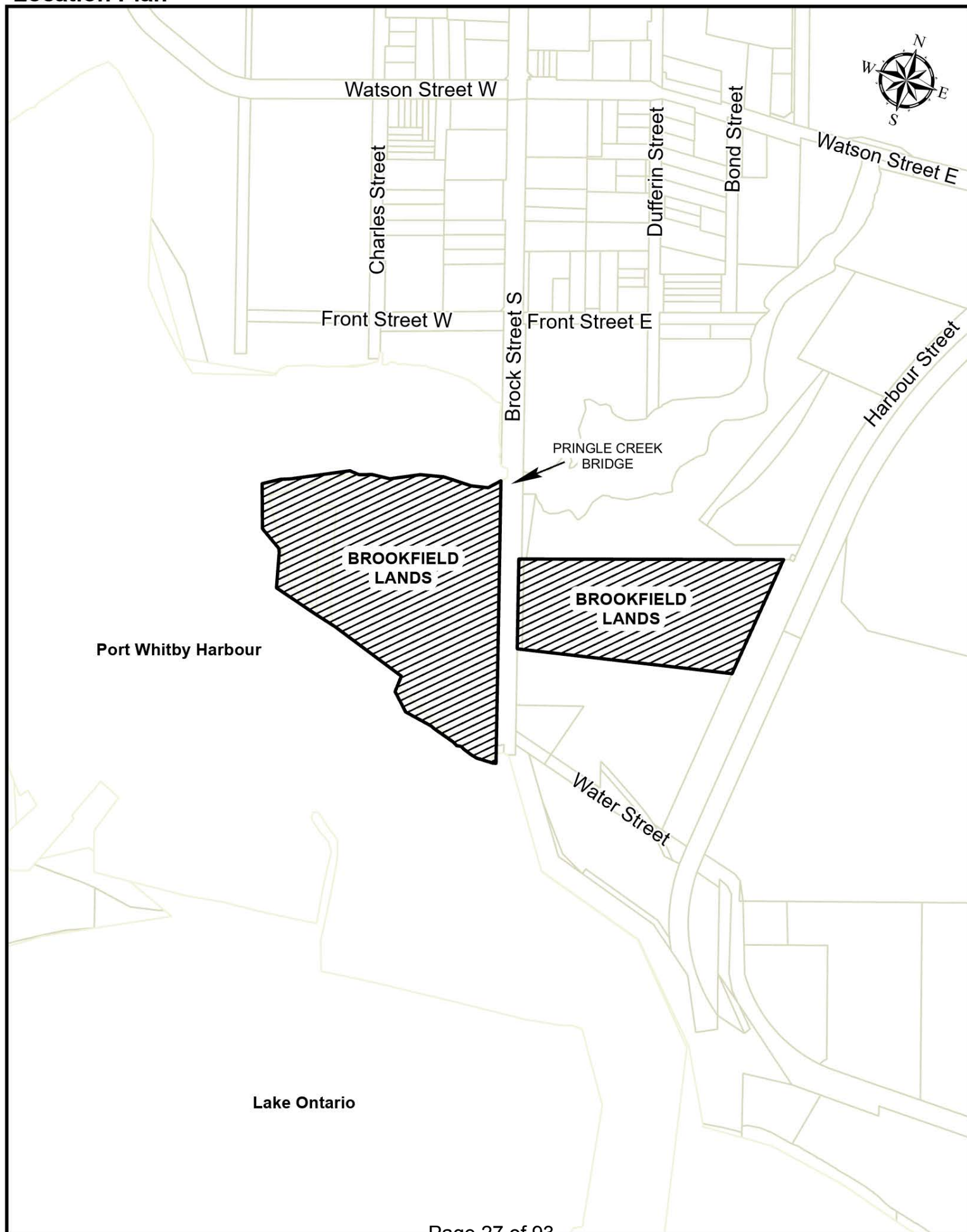
Original signed by:

Ramesh Jagannathan
MBA, M.Eng., P.Eng., PTOE
Acting Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer





The Regional Municipality of Durham Report

To: Works Committee
From: Acting Commissioner of Works
Report: #2023-W-20
Date: June 7, 2023

Subject:

Lease Agreement with Ivanhoe Cambridge II Inc. and 7503067 Canada Inc. for Space Located at 419 King Street West, Suite 102, in the City of Oshawa, for Use by the Health Department

Recommendations:

That the Works Committee recommends to Regional Council:

- A) That the Lease Agreement with Ivanhoe Cambridge II Inc. and 7503067 Canada Inc. (collectively, the “Landlord”) for premises located at 419 King Street West, Suite 102, in the City of Oshawa, containing approximately 2,593 square feet of office space be approved with the following terms and conditions:
- i) The lease term is for a period of five (5) years commencing September 1, 2023 and ending on August 31, 2028;
 - ii) The annual rental rate for the five (5) year term of this Lease will be \$37,598.50*, based on the rate of \$14.50* per square foot per annum;
 - iii) The additional rent for the term is estimated at \$26,448.60* per annum based on the rate of \$7.00* per square foot per annum to cover operating costs for the premises, which includes common area maintenance, utilities, and janitorial service and \$3.20* per square foot per annum for realty taxes, for a total additional rent rate of \$10.20* per square foot per annum. The amount per square foot for additional rent is to be adjusted annually based on actual costs;
 - iv) The Regional Municipality of Durham will have the option to renew the lease for two (2) additional five (5) year terms under the same terms and conditions subject to the rental rate being negotiated;

- v) The Landlord will be responsible for the maintenance, repairs and replacement of the systems, facilities and equipment necessary for the operation of the building and parking lot and other common areas; and
 - B) That the Regional Chair and Regional Clerk be authorized to execute all documents associated with the Lease Agreement.
-

Report:**1. Purpose**

- 1.1 The purpose of this report is to obtain approval to execute the lease with Ivanhoe Cambridge II Inc. and 7503067 Canada Inc. for Health Department programming space as per the terms and conditions outlined herein.
- 1.2 Dollar amounts followed by an asterisk (*) are before applicable taxes.

2. Background

- 2.1 The Health Department is currently leasing space from Capital Holdings (Ontario) Corporation and 1615 Dundas St. E. Commercial Centre Inc., at 1615 Dundas Street East, in the Town of Whitby since September 1, 2005, to operate a breastfeeding clinic. The current lease agreement will expire on August 31, 2023. The rental rate for the current lease is \$14.00* per square foot per annum.
- 2.2 The Health Department requested that Real Estate identify another space for the relocation of the clinic upon the expiration of the current lease term as the current facility, located on the second floor of the Whitby Mall at 1615 Dundas St. East, was leased jointly with the Oral Health Clinic. The Oral Health Clinic relocated in July 2022. Prior to Oral Health moving, staff members working at these clinics shared certain amenities, equipment and spaces which provided efficiencies for both programs.
- 2.3 The current clinic space has ongoing maintenance issues that impact operations at this location. In addition, the elevator to the second floor has been unreliable and when not in operation poses challenges in accessing the clinic for clients with infants and strollers. From May 2022 to October 2022, the breastfeeding clinic was temporarily relocated to Regional Headquarters because of ongoing elevator challenges. Other concerns raised by staff and clients at this location include wayfinding challenges which often result in clients arriving late for scheduled appointments.
- 2.4 To locate space for the breastfeeding clinic Real Estate staff viewed several properties and found the space at 419 King Street West, Suite 102, in the City of Oshawa

- (Oshawa), to be suitable for the Health Department needs. The suite located within the executive centre and office galleria of the Oshawa Centre provides accessible transportation options for clients, has reserved parking spots for expectant mothers and families with children, and provides a secluded area for breastfeeding mothers.
- 2.5 The subject facility contains approximately 2,593 square feet of office space and will be used for the breast-feeding program and immunization services provide by the Health Department. The premises will be outfitted with five consultation rooms, five immunization rooms, a vaccine storage room and space for an administration and reception areas.
- 2.6 The property owner advised that they would use their preferred contractor to construct the space as part of their obligations in the lease agreement versus the Regional Municipality of Durham (Region) undertaking the work. The current estimate provided by the property owner to construct the necessary leasehold work with their preferred contractor is \$147,321*. Regional staff reviewed the quotation and have determined that the rates quoted are competitive based on recent leasehold projects tendered by the Region. The preliminary construction schedule indicates that the upfitting could be completed by August 31, 2023. The obligations regarding the leasehold improvements will form part of the lease agreement.

3. Terms of Lease

- 3.1 The proposed lease is for a term of five (5) years commencing on September 1, 2023 and ending on August 31, 2028. The Region will have the option to renew the lease for two (2) further five (5) year terms under the same terms and conditions subject to the rental rate being negotiated.
- 3.2 The proposed annual rent for the first year of the term is \$37,598.50*, payable in monthly instalments of \$3,133.21* based on the rate of \$14.50 per square foot per annum.
- 3.3 The proposed operating costs is estimated at \$26,448.60* per annum or \$10.20* per square foot per annum payable in monthly instalments of \$2,204.05*. This includes \$7.00* per square foot per annum for utilities, common area maintenance costs, janitorial services and \$3.20* per square foot per annum for realty taxes. The amount per square foot for additional rent will be adjusted annually based on actual costs.
- 3.4 The Landlord will be responsible for repairs and maintenance of the building and other common areas.

4. Financial Implications

- 4.1 Financing for this Lease Agreement will be provided from within the Health Department Business Plans and Budget for this facility. Financing for the leasehold improvements and upfitting in the amount of \$250,000 is available within the approved 2023 Capital budget (Project ID G2302).
- 4.2 Since the approval of this Lease requires a long-term financial obligation for which payment is required beyond the term for which Regional Council was elected, the Regional Treasurer has updated the Region's financial debt and obligation limit. In accordance with Section 4 of the Ontario Regulation 403/02, the Region's Treasurer has calculated an updated long-term debt/financial limit and has determined that the limit has not been exceeded. Therefore, this lease renewal does not require the approval of the Local Planning Appeal Tribunal.

5. Relationship to Strategic Plan

- 5.1 This report aligns with the following strategic goals and priorities in the Durham Region Strategic Plan:
 - A) Goal #2: Community Vitality
 - 2.2: Enhance community safety and well-being;
 - 2.3: Influence the social determinants of health to improve outcomes for vulnerable populations
 - 2.4: To support a high quality of life for all through human services delivery
 - B) Goal #5: Service Excellence
 - 5.1: Optimize resources and partnerships to deliver exceptional quality services and value
 - 5.2: Allow for a seamless service experience

6. Conclusion

- 6.1 The Health Department has advised that they wish to lease the premises at 419 King Street West, Suite 102, in the City of Oshawa for the breast-feeding clinic and immunization services. It is recommended that the Lease Agreement be approved based on the above-noted terms and conditions.
- 6.2 This report has been reviewed by the Finance Department.

6.3 For additional information, please contact Christine Dunkley, Manager, Financial Services and Corporate Real Estate, at 905-668-7711 extension 3475.

Respectfully submitted,

Original signed by:

Ramesh Jagannathan
MBA, M.Eng., P.Eng., PTOE
Acting Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Works Committee
From: Acting Commissioner of Works
Report: #2023-W-21
Date: June 7, 2023

Subject:

Amendment to the Engineering Services Agreement and Approval of Unbudgeted Capital Work and Related Financing to Undertake Detailed Design for the Servicing of Roselawn Avenue and Bickle Drive, in the City of Oshawa

Recommendations:

That the Works Committee recommends to Regional Council:

- A) That unbudgeted capital work in the amount of \$150,000* for engineering services for the servicing of Roselawn Avenue and Bickle Drive in the City of Oshawa be approved;
- B) That an amendment to the existing contract with T. Y. Lin International Canada Inc. (formerly TMIG) be authorized for costs associated with additional engineering services to add the servicing of Roselawn Avenue and Bickle Drive in the City of Oshawa, in the amount of \$118,900*; and
- C) That financing for the unbudgeted capital work for the engineering services of Roselawn Avenue and Bickle Drive in the City of Oshawa be provided by re-allocation of financing from approved projects as follows:

2023 Water Supply Capital Budget

Replacement of watermain on Pickering Beach Road from
Foord Road to Hewitt Crescent, Ajax (Project ID A1906)

User Revenue

\$30,000

Works to rectify identified system deficiencies independent of road programs in various locations (Project ID: M2399)	
User Revenue	<u>\$45,000</u>
Total Water Supply Financing	<u>\$75,000</u>
2023 Sanitary Sewerage Capital Budget	
Township of Uxbridge Road Program (Project ID U2399)	
User Revenue	<u>\$75,000</u>
Total Sanitary Sewerage Financing	<u>\$75,000</u>
Total Project Financing	<u>\$150,000</u>

Report:**1. Purpose**

- 1.1 The purpose of this report is to:
- a. Obtain authorization to negotiate a contract amendment with TY Lin International Canada Inc. (TY Lin); and
 - b. Obtain Regional Municipality of Durham (Region) Council approval for funding for unbudgeted capital work to undertake detailed design for the servicing of Roselawn Avenue and Bickle Drive, in the City of Oshawa.
- 1.2 Dollar amounts followed by an asterisk (*) are before applicable taxes.

2. Background

- 2.1 The City of Oshawa (Oshawa) advertised for a request for proposal for engineering services to conduct detailed design of road urbanization along Thornton Road North from Conlin Road to the north of Roselawn Avenue. TY Lin submitted the highest scoring compliant proposal and was awarded the design contract. The Regional Municipality of Durham (Region) retained TY Lin to design the extension of watermains and sanitary sewers within the same project limits through a sole source agreement.
- 2.2 Following the Region's adoption of the Legacy Servicing Area Policy, Oshawa added the urbanization of Roselawn Avenue, Winfred Drive, and Bickle Drive to

its capital program. The project limits overlap with the Thornton Road North works and will be tendered concurrently under a single construction contract.

3. Proposed Additional Engineering Services

- 3.1 The addition of the Roselawn Avenue and Bickle Drive scope of work to the existing Thornton Road North scope of work allows the staging to be coordinated between the two projects, mitigating the duration of construction impacts on residents and roadway users. TY Lin has obtained a fulsome understanding of the work area and design drawings have been developed for the adjacent roadway reconstruction.
- 3.2 Awarding the engineering services to a different consulting firm would require the Region to coordinate multiple engineering services contracts resulting in additional time and resources, which would cause operational challenges to meeting regulatory requirements. Staff recommend amending the existing contract to avoid duplication of effort and additional costs.

4. Financial Implications

- 4.1 TY Lin was procured through normal procurement practices for the initial work. Staff are seeking authorization for additional financing in accordance with the Region's Budget Management Policy.
- 4.2 Financing for the unbudgeted capital work for engineering services for Roselawn Avenue and Bickle Drive project, in the City of Oshawa will be provided by re-allocation of financing from approved projects as follows:

2023 Water Supply Capital Budget

Replacement of watermain on Pickering Beach Road from
Foord Road to Hewitt Crescent, Ajax (Project ID A1906)

User Revenue	\$30,000
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Works to rectify identified system deficiencies independent
of road programs in various locations (Project ID: M2399)

User Revenue	<u>\$45,000</u>
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Total Water Supply Financing	<u>\$75,000</u>
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2023 Sanitary Sewerage Capital Budget

Township of Uxbridge Road Program (Project ID U2399)

User Revenue \$75,000

Total Sanitary Sewerage Financing \$75,000

Total Project Financing \$150,000

5. Relationship to Strategic Plan

5.1 This report aligns with the following strategic goals and priorities in the Durham Region Strategic plan:

- a. Service Excellence Goal #5.1: Optimize resources and partnerships to deliver exceptional quality services and value.
- b. Service Excellence Goal #5.4: Drive organizational success through innovation, a skilled workforce and modernized services.

6. Previous Reports and Decisions

6.1 Recommendations in Report #2023-W-6 titled Adoption of the Regional Legacy Area Servicing Policy – and Update on Servicing Options for Property Owners on Bickle Drive and Roselawn Avenue, including the Sun Valley Heights Homebuilders Co-op, in the City of Oshawa” was adopted by Regional Council at its meeting on February 1, 2023.

7. Conclusion

- 7.1 Staff recommends the approval of unbudgeted capital works to undertake detailed design for the servicing of Roselawn Avenue and Bickle Drive, in the City of Oshawa.
- 7.2 Further, staff recommend that additional engineering services for the detailed design of water supply and sanitary sewerage servicing for Roselawn Avenue and Bickle Drive, in the City of Oshawa, be approved.
- 7.3 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the recommendations.

7.4 For additional information, contact: Mike Hubble, Director of Environmental Services, at 905-668-7711, extension 3460.

Respectfully submitted,

Original signed by:

Ramesh Jagannathan
MBA, M.Eng., P.Eng., PTOE
Acting Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Works Committee
From: Acting Commissioner of Works
Report: #2023-W-22
Date: June 7, 2023

Subject:

Approval of Unbudgeted Capital Work and Related Financing for Emergency Capital Work at the Oshawa Water Supply Plant

Recommendation:

That the Works Committee recommends to Regional Council that financing of the unbudgeted capital work in the amount of \$5,000,000 related to Emergency Capital Work at the Oshawa Water Supply Plant, to be provided at the discretion of the Commissioner of Finance, be approved.

Report:

1. Purpose

- 1.1 The purpose of this report is to provide an update on an emergency at the Oshawa Water Supply Plant, declared by the Commissioner of Works in accordance with Section 10 of the Regional Municipality of Durham's (Region) Purchasing By-law 16-2020, and to obtain approval for the financing to be provided at the discretion of the Commissioner of Finance.

2. Background

- 2.1 In April 2023 the Commissioner of Works declared an emergency at the Oshawa Water Supply Plant (WSP) for the replacement and refurbishment of filter units 5 and 6.

- 2.2 In December 2022, plant operations staff noted a significant issue with Filters 5 and 6 which triggered a full review of the infrastructure. The filters are experiencing high and rising turbidity and extremely short timelines between required backwash intervals. These observations, along with apparent media breakthrough indicate that the filters are failing. Turbidity at an excessive level would require the filters to be removed from active service, which would reduce the capacity of the Oshawa WSP by 33 per cent.
- 2.3 Jacobs Consultancy Canada Inc. (Jacobs) visited the site early in 2023 to review the issues observed by the plant operators to identify the potential urgency of necessary repairs due to their familiarity with the Oshawa WSP. The initial site investigation identified issues with the underdrains and filter media. Anthratch Western Inc. (AWI), a specialist in filter remediation and replacement, has been retained by Jacobs as a sub-consultant to further evaluate the continued operability of the filters. AWI is headquartered in Calgary and are the contractor municipalities use for filter rehabilitation across Canada.
- 2.4 Several alternatives to address this issue were discussed. The recommended approach to ensure water production security of service is the replacement of the existing underdrains and media.
- 2.5 To perform additional investigation needed for contract design and specification development, the filters need to be sequentially removed from service immediately before peak water demand season. This will permit the procurement of filter and underdrain material for installation beginning in December of this year through a direct purchase order to AWI.
- 2.6 The Whitby, Oshawa and Courtice water distribution systems are interconnected. Capital works improvements have begun at the Whitby WSP. As this programmed work ramps up, water supply from the Whitby WSP will also be reduced periodically. To maintain overall water supply requirements to the Whitby, Oshawa and Courtice water distribution systems, it is imperative that the Oshawa WSP be restored to its full capacity as soon as possible.
- 2.7 Capital funds have been budgeted for design works to rehabilitate filters 1 to 6, with a planned program of design through 2024, and construction works through 2029. However, the accelerated failure of filters 5 and 6 has necessitated immediate action.

3. Financial Implications

- 3.1 Section 10 of the Region's Purchasing By-law #16-2020 specifies the process to procure goods and/or services to address emergency situations. The process requires reporting to Regional Council on the nature of the emergency and the necessity of actions taken in cases where the costs will exceed \$100,000.
- 3.2 Section 14.2 of the Budget Management Policy requires the approval of the Treasurer and C.A.O. and the applicable Standing Committee and Regional Council to approve project financing in excess of \$50,000 prior to the award of the applicable contract.
- 3.3 Jacobs will continue their design efforts. AWI will source the required materials for repair and perform the installation. Staff estimate the value of the project works to be approximately \$5,000,000. The funding of this emergency project will be determined at the discretion of the Commissioner of Finance. The project components are detailed as follows:

Project Element	Estimated Project Cost (\$)
Internal Staff	173,500
Design Services	700,000
Construction (including Contract Administration and Equipment)	4,000,000
Sundry	40,000
Estimated Project Cost	4,913,500
Net HST (1.76%, rounded)	86,500
Total Project Cost	5,000,000

4. Relationship to Strategic Plan

- 4.1 This report aligns with the following strategic goals and priorities in the Durham Region Strategic Plan:

- a. Service Excellence Goal #5.1: Optimize resources and partnerships to deliver exceptional quality services and value.
- b. Service Excellence Goal #5.2: Drive organizational success through innovation, a skilled workforce and modernized services.

5. Conclusion

- 5.1 It is recommended that the financing of the unbudgeted capital work in the amount of \$5,000,000, related to Emergency Capital Work at the Oshawa Water Supply Plant, to be provided at the discretion of the Commissioner of Finance, be approved.
- 5.2 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the recommendations.
- 5.3 For additional information, please contact Mike Hubble, Director of Environmental Services, at 905-668-7711, extension 3460.

Respectfully submitted,

Original signed by:

Ramesh Jagannathan
MBA, M.Eng., P.Eng., PTOE
Acting Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Works Committee
From: Acting Commissioner of Works
Report: #2023-W-23
Date: June 7, 2023

Subject:

Subdivision Agreement with Oshawa (Conlin) Developments Inc., Including Cost Sharing in Accordance with the Region Share Policy, for Oversizing of a Sanitary Sewer and Watermains in the City of Oshawa

Recommendation:

That the Works Committee recommends to Regional Council:

- A) That the Regional Municipality of Durham be authorized to enter into a subdivision agreement with Oshawa (Conlin) Developments Inc. for the construction of a 450 millimetre sanitary sewer and 400 millimetre watermains, in the City of Oshawa, including a Regional Share amount of \$1,089,900 in accordance with the Regional Municipality of Durham's Regional Share Policy, for an estimated total project cost of \$6,881,500;
- B) That financing for the subdivision agreement, including the Regional Share amount, be provided from the following sources:

Developer's Share – Sanitary Sewer and Watermain

Oshawa (Conlin) Developments Inc. Sanitary Sewer	\$2,941,300
Oshawa (Conlin) Developments Inc. Watermains	<u>\$2,850,300</u>
Total Oshawa (Conlin) Developments Inc.	<u>\$5,791,600</u>

Regional Share - Sanitary Sewer

2023 Sanitary Sewerage System Capital Budget

Item 382 - Allowance for Regional Share for Works in Conjunction with Residential Subdivision Development (Project ID: M2310)

Residential Development Charges	\$195,865
Commercial Development Charges	\$12,209
User Revenues	<u>\$57,326</u>
Total Regional Sanitary Sewer	<u>\$265,400</u>

Regional Share - Watermain

2023 Water Supply System Capital Budget

Item 379 - Allowance for Regional Share for Works in Conjunction with Residential Subdivision Development (Project ID: M2310)

Residential Development Charges	\$722,262
Commercial Development Charges	\$ 18,139
User Revenues	<u>\$ 84,099</u>
Total Regional Cost Watermain Financing	\$824,500
Total Regional Cost	<u>\$1,089,900</u>
Total Project Cost – Sanitary Sewer and Watermain	<u>\$6,881,500</u>

- C) That the Commissioner of Works or their alternate be authorized to execute the necessary documents related to the subdivision agreement.

Report:

1. Purpose

- 1.1 The purpose of this report is to seek approval to enter into a subdivision agreement with Oshawa (Conlin) Developments Inc., including cost-sharing in accordance with the Regional Municipality of Durham (Region) Share Policy related to the construction of sanitary sewers and watermain on Grandview Street North, Britannia Avenue East, and within the subdivision, in the City of Oshawa (Oshawa), as shown in Attachment #1.

2. Background

- 2.1 Oshawa (Conlin) Developments Inc. is proposing to develop their property located at the northeast quadrant of Conlin Road East and Grandview Street North, in Oshawa. The Developer is proposing a 314-unit subdivision which requires the extension of the sanitary sewer and watermains for servicing.
- 2.2 The Region requested that the size of the new sanitary sewer and watermains be increased to accommodate the future development of upstream lands.

3. Previous Reports and Decisions

- 3.1 There are no previous reports or decisions associated with this development application or the sanitary sewer and watermain extensions required to service the residential subdivision.

4. Regional Infrastructure

- 4.1 To service the Oshawa (Conlin) Developments Inc. property, the Region requires the following infrastructure, as shown in Attachment #1:
- A 450 millimetre (mm) sanitary sewer on Grandview Street North
 - A 400 mm zone 5 watermain on Britannia Avenue East
 - A 400 mm zone 4 watermain on Britannia Avenue East and within the subdivision
- 4.2 The sanitary sewer and watermains will service the subject development and have been upsized to accommodate the future development of upstream lands.
- 4.3 The Region's Share Policy states that the developer is responsible to pay for the construction of all Regional infrastructure needed to service their lands. The Region is responsible for the balance of the costs, including the oversizing of pipes.
- 4.4 In this case, Oshawa (Conlin) Developments Inc. would be responsible to pay 100 percent of the cost to construct a 250 mm sanitary sewer, a 300 mm zone 5 watermain, and a 300 mm zone 4 watermain, which are the minimum sizes required by the development. The developer is also responsible to fund all other sanitary sewers and watermains required to service the subdivision. The Region would be responsible to pay for the cost of oversizing the sanitary sewer and watermains.

- 4.5 All other requirements of the Regional subdivision agreement will be in place, including the posting of a letter of credit for the works, Regional inspection requirements and the two-year infrastructure maintenance period.

5. Financial Implications

- 5.1 The cost of the work, including engineering, contingencies, and tax, is estimated as follows:

Developer's Share – Sanitary Sewer and Watermain

Oshawa (Conlin) Developments Inc. Sanitary Sewer	\$2,941,300
Oshawa (Conlin) Developments Inc. Watermains	<u>\$2,850,300</u>
Total Oshawa (Conlin) Developments Inc.	<u>\$5,791,600</u>

Regional Share - Sanitary Sewer

2023 Sanitary Sewerage System Capital Budget

Item 382 - Allowance for Regional Share for Works in Conjunction with Residential Subdivision Development (Project ID: M2310)

Residential Development Charges	\$195,865
Commercial Development Charges	\$12,209
User Revenues	<u>\$57,326</u>
Total Regional Sanitary Sewer	<u>\$265,400</u>

Regional Share - Watermain

2023 Water Supply System Capital Budget

Item 379 - Allowance for Regional Share for Works in Conjunction with Residential Subdivision Development (Project ID: M2310)

Residential Development Charges	\$722,262
Commercial Development Charges	\$18,139
User Revenues	\$84,099
Total Regional Cost Watermain Financing	<u>\$824,500</u>

Total Regional Cost	<u>\$1,089,900</u>
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Total Project Cost – Sanitary Sewer and Watermain**\$6,881,500****6. Relationship to Strategic Plan**

6.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:

- Community Vitality Goal 2.1: Revitalize existing neighbourhoods and build complete communities that are walkable, well-connected, and have a mix of attainable housing.
- Service Excellence Goal 5.1: Optimize resources and partnerships to deliver exceptional quality services and value.

7. Conclusion

7.1 It is recommended that the Regional Municipality of Durham enter into a subdivision agreement with Oshawa (Conlin) Developments Inc. containing the foregoing provisions.

7.2 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the financial recommendation.

7.3 For additional information, please contact Jeff Almeida, Development Approvals Supervisor, at 905-668-7711, extension 3721.

8. Attachments

Attachment #1: Location Plan – Oshawa (Conlin) Developments Inc.

Respectfully submitted,

Original signed by:

Ramesh Jagannathan
MBA, M.Eng., P.Eng., PTOE
Acting Commissioner of Works

Recommended for Presentation to Committee

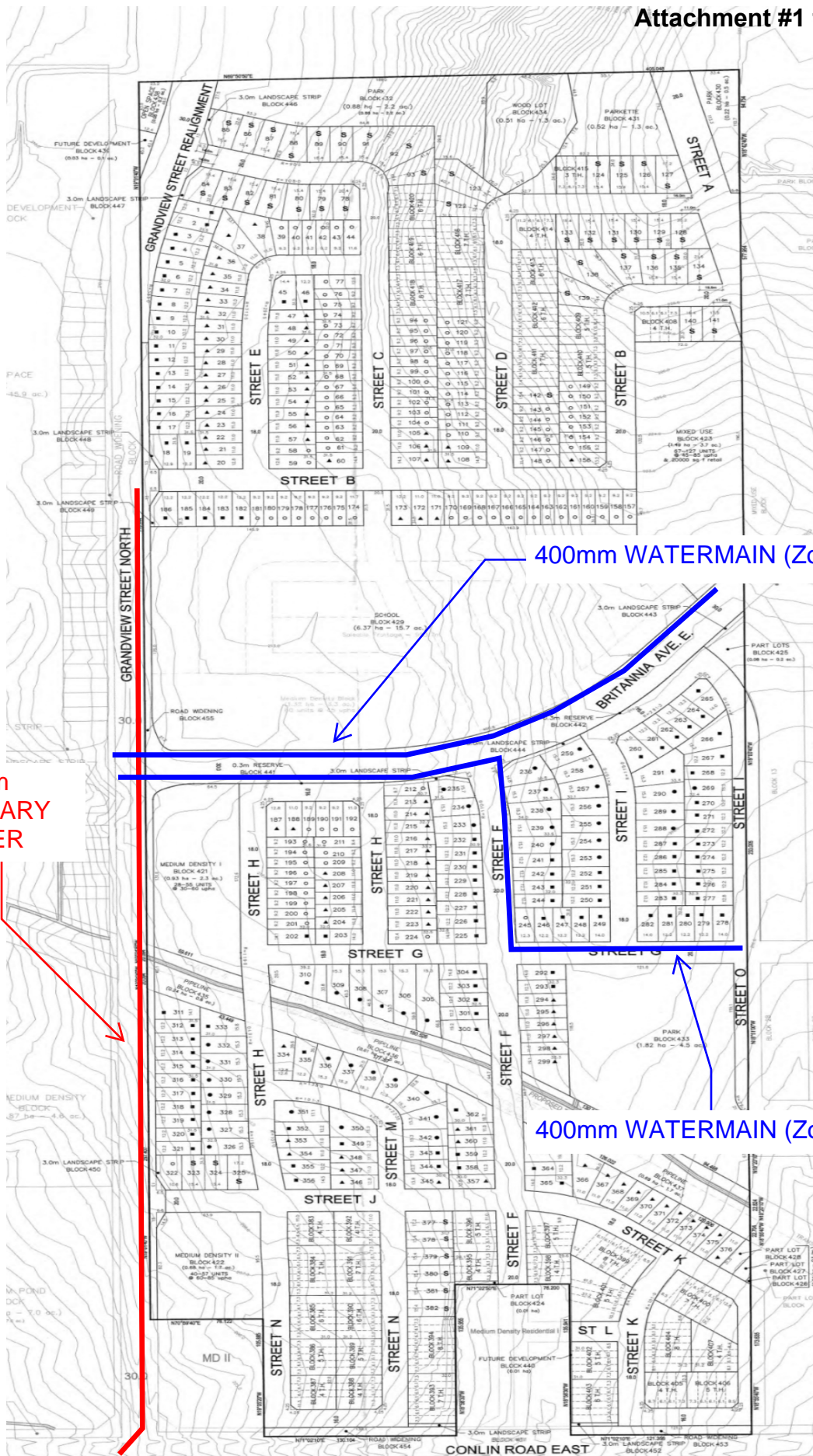
Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer

450mm
SANITARY
SEWER

400mm WATERMAIN (Zone 5)

400mm WATERMAIN (Zone 4)





The Regional Municipality of Durham Report

To: Works Committee
From: Acting Commissioner of Works
Report: #2023-W-24
Date: June 7, 2023

Subject:

Sole Source Procurement of Engineering Services and Equipment for Various Water Supply and Sanitary Sewerage Projects and Approval of Additional Project Financing

Recommendations:

That the Works Committee recommends to Regional Council:

A) That staff be authorized to negotiate:

- i) A sole source agreement with SCG Process for the provision of ProMinent sodium hypochlorite pumps and accessories at the Ajax Water Supply Plant (WSP) for the sodium hypochlorite system relocation, project ID (D1844) in the amount of \$300,771* to be financed through the approved project budget;
- ii) A sole source agreement with SCG Process for the provision of ProMinent chemical feed pumps and accessories at the Duffin Creek Water Pollution Control Plant (WPCP) for the Stage 3 Liquids Remediation and Miscellaneous Works project (Contract D2023-24, Project ID Y2001) in the amount of \$1,097,000* (of which Durham's 20 percent share is \$219,400*) to be financed through the approved project budget;
- iii) A sole source agreement with the supplier providing the lowest compliant quotation following a competitive quotation for the ongoing provision of magnetic flow meters throughout the Whitby Water Supply Plant expansion project to be financed through the approved project budget;
- iv) A sole source amendment to the existing contract (RC00002421) with Black and Veatch for costs associated with additional engineering and inspection

services required during the construction of the zebra mussel chlorine line replacement capital projects (D2019 and D1930) at Ajax and Beaverton Water Supply Plants in the amount of \$159,362* to be financed through the approved project budgets; and

- v) A sole source engineering services agreement with AECOM Canada Ltd. for engineering services for the realignment of the 750 millimetres (mm) and 1200 mm diameter feeder mains on Wilson Road South in the amount of \$515,430*.

- B) That additional capital financing for the funding shortfall associated with the realignment of feeder mains on Wilson Road South in the amount of \$300,000 be provided as follows:

Previously Approved Financing

Watermain replacement at Highway 401 and Wilson Rd., in conjunction with the MTO, Oshawa

User Rate (Project ID: D2221)	\$250,000
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Additional Financing

2023 Water Supply Capital Budget

Replacement of watermain on Pickering Beach Rd. from Foord Road to Hewitt Crescent, Ajax

User Rate (Project ID: A1906)	<u>\$300,000</u>
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Total Revised Project Financing	<u>\$550,000</u>
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Report:

1. Purpose

1.1 The purpose of this report is to:

- a. Obtain authorization to negotiate sole source contracts for engineering services and the supply of equipment for various projects; and
- b. Obtain Regional Municipality of Durham (Region) Council approval for additional funding for capital work to undertake detailed design for the realignment of feeder mains required as a result of the proposed Wilson Road South Highway 401 Overpass replacement, in the City of Oshawa.

- 1.2 Dollar amounts followed by an asterisk (*) are before applicable taxes.

2. Background

- 2.1 The detailed design of the Ajax WSP sodium hypochlorite relocation and Duffin Creek WPCP Stage 3 Liquids Remediation projects are nearing completion. To finalize the design and to address specific safety, operational and maintenance needs related to the facilities, the sole sourcing of ProMinent sodium hypochlorite pumps and accessories is required. ProMinent is a manufacturer of metering pumps and metering technology.
- 2.2 The Region requested proposals for engineering services to conduct the detailed design only for the replacement of the zebra mussel chlorine lines at the Ajax and Beaverton Water Supply Plants (WSP). Black and Veatch submitted the highest scoring compliant proposal and was awarded the design contract. Engineering and inspection services are required by the Region during the construction of both projects which were not reflected in the original scope of work.
- 2.3 The Ministry of Transportation (MTO) has retained AECOM Canada Ltd. (AECOM) for engineering services to conduct detailed design for the Highway 401 Wilson Road South Overpass replacement in the City of Oshawa. To accommodate the new infrastructure, the Region is required to relocate 750 millimetre (mm) and 1050 mm diameter feeder mains.
- 2.4 Awarding the engineering services to different consulting firms would require the Region to coordinate multiple engineering services contracts resulting in additional time and resources, which would cause operational challenges to meeting regulatory requirements. Staff recommend sole sourcing to avoid duplication of effort.

3. Justification for the Sole Source and Procurement of Equipment

- 3.1 As part of the detailed design for the Ajax WSP sodium hypochlorite relocation project, various sodium hypochlorite pumps and accessories were assessed by reviewing safety requirements, adherence to Regional standards, and operational and maintenance needs. The sodium hypochlorite lines all have different objectives, including zebra mussel control, pre-treatment and disinfection, which have varying design parameters including flow rates and pressure requirements.
- 3.2 York Region issued contracts T-08-03 and T-07-57 for the construction of the Stage 3 headworks and Liquid modules respectively, which yielded chemical feed

pumps from a different supplier. These pumps have proven to be maintenance intensive. Since 2010, the pumps supplied under contract T-07-57 have collectively experienced 57 instances of breakdown recorded in the work history, averaging 5 per year, and requiring seventeen (17) pump replacements. In recognition of the above, more recent York Region contracts T-13-50 and T-12-92 for the replacement of the Stage 1 and 2 Headworks and Disinfection facilities respectively, identified alternative chemical pump suppliers within the contract specifications. SCG Process supplied pumps that were competitively bid and supplied under the York Region issued contracts for the Duffin Creek facility. This has created an installed base of over 20 pumps demonstrated to operate at varying capacities and operating requirements. Maintenance intervention requirements for these pumps have been minimal.

- 3.3 The Duffin Creek application requires pumps capable of distributing chemical to six different process locations with varying capacities and head requirements. Equipment sizing is of critical importance as equipment retrofits must occur within an already existing building envelope. The physical size of the pump and its accessories are fundamental to proper operational access for future maintenance.
- 3.4 For both projects, the pumps and accessories also require alignment with Regional Supervisory Control and Data Acquisition standards to ensure that the system can be operated remotely and maintained by Regional staff.
- 3.5 SCG Process has exclusive municipal rights in Ontario to supply ProMinent Metering Pumps for sodium hypochlorite that meet the varying design parameters, physical space limitations and maintenance and safety requirements of the Region. As indicated, these pumps are currently in operation at other Regional facilities with a proven history of performance. Standardizing to Prominent sodium hypochlorite pumps and accessories for the Ajax WSP and Duffin Creek WPCP would ensure adherence to Regional standards, provide operational familiarity, the potential to efficiently utilize spare parts and provides fewer operational and maintenance requirements. A service agreement with SCG Process will be negotiated to ensure support is available when required.

4. Proposed Additional Engineering Services

Black and Veatch

- 4.1 Black and Veatch have become intimately familiar with the specific details, site constraints and technological needs of the zebra mussel chlorine line replacement projects at Ajax and Beaverton WSP. The project knowledge retained by Black

and Veatch provides significant benefits to the construction inspection staff deployed on the project from the perspectives of contractual continuity, knowledge transfer and resolution of site-specific issues sometimes experienced during construction. The Region and Black and Veatch have also gained a fulsome understanding of the engineering and inspection services required during construction after reviewing similar project experiences with City of Toronto staff.

- 4.2 Awarding the engineering services to different consulting firms would require the Region to coordinate multiple engineering services contracts resulting in additional time and resources, which would cause operational challenges to meeting regulatory requirements. Staff recommend sole sourcing to avoid duplication of effort.

AECOM

- 4.3 The future widening of Highway 401 at the Wilson Road South Overpass, as well as the existing age and condition of the structure, requires the removal and replacement of the existing structure. As a result of the MTO's proposed Wilson Road South Overpass replacement, the vertical profile of Wilson Road South will be lowered which triggers the need for the Region to relocate the existing 750mm and 1050mm diameter feeder mains. Due to the significant time constraints imposed by the MTO, the Region's feeder main works are expected to be undertaken within the MTO construction contract. Combining these efforts will mitigate the duration of construction impacts on residents, businesses, and roadway users. AECOM has undertaken all investigations and commenced with the detailed design for the bridge structure.
- 4.4 Awarding the engineering services to different consulting firms would require the Region to coordinate multiple engineering services contracts resulting in additional time and resources, which would cause operational challenges to meeting regulatory requirements. Staff recommend sole sourcing to avoid duplication of effort.
- 4.5 Additional financing will be required for the engineering services associated with this project.

5. Financial Implications

- 5.1 Section 7.2 of the Region's Purchasing By-law permits:
- The sole sourcing of goods and services under specific circumstances, including where additional deliverables were not included in the initial

- procurement and where a change of supplier is not recommended due to compatibility/continuity concerns and cost impacts; and
 - The acquisition of goods and services through sole source negotiations under specific circumstances outlined in Appendix 'C'. Section 1.1 of Appendix 'C' permits negotiations for goods or services to be supplied only by a particular supplier if no reasonable alternative or substitute goods exist due to the absence of competition for technical reasons.
- 5.2 The Region's Purchasing By-law also requires Regional Council approval for any negotiated purchases of \$100,000 and greater in value.
- 5.3 Section 17.1 of the Region's Budget Management Policy requires the approval of the applicable Standing Committee and Regional Council for the reallocation of capital funding exceeding \$250,000.
- 5.4 Financing for the additional commitments required for the realignment of the existing water supply feedermain to accommodate the Ministry of Transportation's reconstruction of the Wilson Road South Overpass can be provided from the following source:

Previously Approved Financing

Watermain replacement at Highway 401 and Wilson Rd., in
conjunction with the MTO, Oshawa

User Revenue (Project ID: D2221)	\$250,000
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Additional Financing

2023 Water Supply Capital Budget

Replacement of watermain on Pickering Beach Rd. from Foord
Road to Hewitt Crescent, Ajax

User Rate (Project ID: A1906)	<u>\$300,000</u>
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Total Revised Project Financing	<u>\$550,000</u>
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6. Relationship to Strategic Plan

- 6.1 This report aligns with the following strategic goals and priorities in the Durham Region Strategic plan:
- a. Service Excellence Goal #5.1: Optimize resources and partnerships to deliver exceptional quality services and value.

- b. Service Excellence Goal #5.4: Drive organizational success through innovation, a skilled workforce and modernized services.

7. Previous Reports and Decisions

- 7.1 There have been no previous reports related to these contracts.

8. Conclusion

- 8.1 It is recommended that authorization be approved for the sole source contracts of additional engineering services and equipment for various water supply and sanitary sewerage projects be approved.
- 8.2 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the recommendations.
- 8.3 For additional information, contact: Mike Hubble, Director of Environmental Services, at 905-668-7711, extension 3460.

Respectfully submitted,

Original signed by:

Ramesh Jagannathan
MBA, M.Eng., P.Eng., PTOE
Acting Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Works Committee
From: Acting Commissioner of Works
Report: #2023-W-25
Date: June 7, 2023

Subject:

Extension and Amendment of Lease with Campbell Drive Professional Building Inc. for Space located at 2 Campbell Drive, Suites 301 to 305, in the Township of Uxbridge, for use by the Social Services Department, Family Services and Income and Employment Support Divisions

Recommendations:

That the Works Committee recommends to Regional Council:

- A) That the Lease Extension and Amendment Agreement with Campbell Drive Professional Building Inc. for the premises located at 2 Campbell Drive, Suites 301 to 305 in the Township of Uxbridge, containing approximately 4,810 square feet of office space be approved with the following terms and conditions:
- i) The term of the lease is extended for a period of two (2) years commencing November 1, 2023 and ending on October 31, 2025, with the option to extend the lease for an additional five (5) years under the same terms and conditions except the rental rate, which is to be negotiated;
 - ii) The rental rate for the lease term will be \$72,150* per annum based on the net annual rate of \$15.00* per square foot per annum for the renewal term;
 - iii) The additional rental rate for the term of the lease will be \$72,150* per annum based on the rate of \$15.00* per square foot per annum to cover operating cost for the building, premises, and common areas maintenance costs. The amount per square foot for additional rent is to be adjusted annually based on actual costs;

- iv) The Regional Municipality of Durham will continue to be invoiced \$600* annually for the rental of a pylon sign;
 - v) The Landlord remains responsible for repairs and maintenance of the building, parking lot and other common areas; and
- B) That the Regional Chair and Clerk be authorized to execute all documents associated with the Lease Extension and Amendment Agreement.
-

Report:**1. Purpose**

- 1.1 The purpose of this report is to obtain approval to renew the lease with Campbell Drive Professional Building Inc., for space occupied by the Family Services and Income Support Divisions of Social Services located at 2 Campbell Drive in the Township of Uxbridge as per the terms and conditions outlined herein.
- 1.2 Dollar amounts followed by an asterisk (*) are before applicable taxes.

2. Background

- 2.1 Social Services, Family Services and Income Support Divisions have been leasing space in the building at 2 Campbell Drive since November 1, 2014. The current lease was negotiated for a period of two years, commencing November 1, 2021 and ending on October 31, 2023, with an option to renew for an additional two-year term.
- 2.2 The subject property contains approximately 4,810 square feet of office space and is for the Family Services and Income Support Divisions of Social Services in Uxbridge. The rental rate for the current lease is \$13.50* per square foot.

3. Previous Reports and Decisions

- 3.1 Report #2021-W-38, approved by Regional Council on November 24, 2021, granted approval for the extension of this lease for a period of two years commencing November 1, 2021 and ending October 31, 2023, with an option to renew the lease for a two (2) year term under the same terms and conditions except the amount for basic rent to be negotiated.

4. Terms of Renewal

- 4.1 The proposed lease renewal is for a term of two years. The Regional Municipality of Durham (Region) will have the option to renew the lease for another five (5) year term under the same terms and conditions subject to the rental rate being negotiated at the time of renewal.
- 4.2 The proposed annual rent for the lease term is \$72,150* payable in monthly instalments of \$6,012.50* based on the rate of \$15.00* per square foot per annum. This represents a \$1.50 increase over the previous rate which has not been increased since 2014.
- 4.3 The additional rent is estimated at \$72,150* per annum payable in monthly instalments of \$6,012.50* representing the Region's proportionate share of the operating costs based on the rate of \$15.00* per square foot per annum for the building, common areas and the leased premises including janitorial, utilities, and property taxes. The amount per square foot for additional rental will be adjusted annually based on actual costs.

5. Financial Implications

- 5.1 Financing for this lease renewal will continue to be provided from within Social Services Department Business Plans and Budget for this facility.
- 5.2 Since the approval of this lease renewal requires a long-term financial obligation for which payment is required beyond the term for which Regional Council was elected, the Regional Treasurer has updated the Region's financial debt and obligation limit. In accordance with Section 4 of the Ontario Regulation 403/02, the Region's Treasurer has calculated an updated long-term debt/financial limit and has determined that the limit has not been exceeded. Therefore, this lease renewal does not require the approval of the Ontario Land Tribunal.

6. Relationship to Strategic Plan

- 6.1 This report aligns with the following strategic goals and priorities in the Durham Region Strategic Plan:
- a) Goal 2.3: Enhance community safety and well-being;
 - b) Goal 2.3: Influence the social determinants of health to improve outcomes for vulnerable populations;

- c) Goal 2.4: Support a high quality of life for all through human services delivery;
- d) Goal 2.5: Build a healthy, inclusive, age-friendly community where everyone feels a sense of belonging;
- e) Goal 4.4: Expand access to existing life stabilization programs; and
- f) Goal 5.1: Optimize resources and partnerships to deliver exceptional quality services and values.

7. Conclusion

- 7.1 The Social Services Department has advised that they wish to continue to occupy the leased space at 2 Campbell Drive, in the Township of Uxbridge. It is recommended that the Lease Extension and Amendment Agreement be approved based on the above noted terms and conditions.
- 7.2 This report has been reviewed by the Finance Department.
- 7.3 For additional information, please contact Christine Dunkley, Manager, Financial Services and Corporate Real Estate, at 905-668-7711, extension 3475.

Respectfully submitted,

Original signed by:

Ramesh Jagannathan
MBA, M.Eng., P.Eng., PTOE
Acting Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Works Committee
From: Acting Commissioner of Works
Report: #2023-W-26
Date: June 7, 2023

Subject:

Extension and Amendment of Lease with 2446225 Ontario Limited for Space Located at 169 North Street in the Town of Port Perry, for use by the Social Services Department, Family Services Division

Recommendations:

That the Works Committee recommends to Regional Council:

- A) That the Lease Extension and Amendment Agreement with 2446225 Ontario Limited for the premises located at 169 North Street in the Town of Port Perry, containing approximately 500 square feet of office space be approved with the following terms and conditions:
- i) The renewal term will be for a period of two years commencing August 1, 2023 and ending on July 31, 2025, with the option to renew the lease for an additional two years under the same terms and conditions except for the rental rate which is to be negotiated;
 - ii) The rental rate for the lease term will be \$15,620* per annum payable in monthly instalments of \$1,301.67 based on the annual rate of \$31.24* per square foot per annum for the renewal term; and an additional amount of approximately \$325* per annum billed separately and representing the

proportionate share of the increase in property taxes over the 2002 assessment amount as per the original lease agreement;

- iii) The annual rent includes utilities, common area maintenance, operating costs, insurance and the portion of the property taxes based on the 2002 assessment value;
- iv) The Landlord remains responsible for the repairs and maintenance of the building, parking lot and other common areas.

- B) That the Regional Chair and Clerk be authorized to execute all documents associated with the Lease Extension and Amendment Agreement.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to obtain approval to renew the lease with 2446225 Ontario Limited for space occupied by Social Services, Family Services Division located at 169 North Street in the Town of Port Perry, as per the terms and conditions outlined herein.
- 1.2 Dollar amounts followed by an asterisk (*) are before applicable taxes.

2. Background

- 2.1 Social Services Department has been leasing office space in the building at 169 North Street since August 1, 2003 and subsequently renewed for five additional terms. The last renewal for a period of two years from August 1, 2021 to July 31, 2023, was approved in August of 2021.
- 2.2 The subject property contains approximately 500 square feet of office space and is for use by the Social Services Department, Family Services Division. The rental rate for the current lease is \$30.32* per square foot.

3. Previous Reports and Decisions

- 3.1 During the 2021 Council Recess, approval was granted for the execution of a lease renewal agreement with 2446225 Ontario Limited for a period of two years commencing August 1, 2021 and ending July 31, 2023, with the option to renew the lease for a two (2) year term under the same terms and conditions except the amount for rent to be negotiated in accordance with the Region's Budget

Management Policy, Section 19 – Delegation of Authority during Recesses of Regional Council..

- 3.2 The original lease was between the Regional Municipality of Durham (Region) and the Landlord, David Jerome Taylor and Sandra Irene Taylor o/a “Sanjer Investments”. The property was subsequently sold to the current landlord, 2446225 Ontario Limited in 2016.

4. Terms of Renewal

- 4.1 The proposed lease renewal is for a term of two years. The Region will have the option to renew the lease for another two (2) year term under the same terms and conditions, subject to the rental rate being negotiated at the time of renewal.
- 4.2 The proposed annual rent for the lease term is \$15,620* payable in monthly instalments of \$1,301.67* based on the rate of \$31.24* per square foot per annum. This represents a \$0.92 per square foot per annum or three (3) per cent increase over the previous rate.
- 4.3 The rental rate includes utilities, common area maintenance costs, operating costs, insurance, and a portion of the property taxes. An additional amount estimated at \$325* per annum will be charged to the Region, reflecting its share of the property tax increases over and above the 2002 assessed amount reflected in the rental rate.
- 4.4 The Landlord remains responsible for repairs and maintenance for the structure of the building, the premises and the parking lot.

5. Financial Implications

- 5.1 Financing for this lease renewal will continue to be provided from within Social Services Business Plans and Budget for this facility.
- 5.2 Since the approval of this lease renewal requires a long-term financial obligation for which payment is required beyond the term for which Regional Council was elected, the Regional Treasurer has updated the Region’s financial debt and obligation limit. In accordance with Section 4 of the Ontario Regulation 403/02, the Region’s Treasurer has calculated an updated long-term debt/financial limit and has determined that the limit has not been exceeded. Therefore, this lease renewal does not require the approval of the Ontario Land Tribunal.

6. Relationship to Strategic Plan

- 6.1 This report aligns with the following strategic goals and priorities in the Durham Region Strategic Plan:
- a) Goal 2.3: Enhance community safety and well-being;
 - b) Goal 2.3: Influence the social determinants of health to improve outcomes for vulnerable populations;
 - c) Goal 2.4: Support a high quality of life for all through human services delivery;
 - d) Goal 2.5: Build a healthy, inclusive, age-friendly community where everyone feels a sense of belonging;
 - e) Goal 4.4: Expand access to existing life stabilization programs; and
 - f) Goal 5.1: Optimize resources and partnerships to deliver exceptional quality services and values.

7. Conclusion

- 7.1 The Social Services Department has advised that they wish to continue to occupy the leased space at 169 North Street in the Town of Port Perry. It is recommended that the Lease Extension and Amendment Agreement be approved based on the above noted terms and conditions.
- 7.2 This report has been reviewed by the Finance Department.

7.3 For additional information, please contact Christine Dunkley, Manager, Financial Services and Corporate Real Estate, at 905-668-7711, extension 3475.

Respectfully submitted,

Original signed by:

Ramesh Jagannathan
MBA, M.Eng., P.Eng., PTOE
Acting Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Works Committee
From: Acting Commissioner of Works
Report: #2023-W-27
Date: June 7, 2023

Subject:

Approval of Capital Works and Financing to be Incorporated into a Servicing Agreement with Whitby Con Seven Developments Limited, Including Cost Sharing in Accordance with the Region Share Policy for Regional Infrastructure crossing the intersection of Ashburn Road and Winchester Road to 300 metres east of Ashburn Road in the Brooklin Urban Area, in the Town of Whitby

Recommendation:

That the Works Committee recommends to Regional Council:

- A) That capital works and financing estimated at \$1,699,100 for the Region's share of the extension and oversizing of a sanitary sewer project in the Town of Whitby with a total cost of \$5,608,100 be approved;
- B) That the Regional Municipality of Durham be authorized to enter into a Servicing Agreement with a Region share payment to Whitby Con Seven Developments Limited estimated at \$1,699,100 for the Region's share of the costs for the construction and oversizing of a sanitary sewer, in the Town of Whitby, in accordance with the Regional Municipality of Durham's Region Share Policy at an estimated total project cost of \$5,608,100; and
- C) That financing for the servicing agreement be provided from the following sources:

Developer's Share – Sanitary Sewer

Whitby Con Seven Developments Limited	<u>\$3,909,000</u>
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Total Developer's Share	<u>\$3,909,000</u>
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Regional Share – Sanitary Sewer

2022 Sanitary Sewage System Capital Budget

Item 62: West Brooklin Trunk Sanitary Sewer from west of Cochrane St. to east of Highway #12, Whitby Region's share (Project ID: D2002)

Residential Development Charges	\$1,253,900
Commercial Development Charges	\$78,200
User Rate	<u>\$367,000</u>
Total Regional Share	<u>\$1,699,100</u>
Total Project Financing	<u>\$5,608,100</u>

Report:**1. Purpose**

- 1.1 The purpose of this report is to obtain approval to enter into a servicing agreement with Whitby Con Seven Developments Limited for the construction of a proposed sanitary sewer in the Town of Whitby (Attachment #1). The report also seeks approval for the capital work and financing for the Regional Municipality of Durham's (Region) cost sharing in accordance with the Region's Share Policy.

2. Background

- 2.1 Whitby Con Seven Developments Limited is a member of the Brooklin North Landowners Group (BNLG). They have proposed the construction of a sanitary sewer through the Winash North Subdivision lands, extending sanitary sewer servicing to the Brooklin North lands and servicing their development. Whitby Con Seven Developments Limited has requested permission to construct the project through a servicing agreement with the Region and to cost share with the Region in accordance with the Region's Share Policy (Attachment #2).
- 2.2 The Region's Share Policy requires the developer to pay for the works required to service the subject development, with the Region responsible for any oversizing cost. In this case, the subject development includes all the lands owned by BNLG. This approach is appropriate in this case and minimizes the portion of oversizing costs to be paid by the Region. Whitby Con Seven Developments Limited would be responsible to pay for the cost to construct a 675 millimetre (mm) diameter local sanitary sewer, and the Region would be required to pay the cost of oversizing to a 1050 mm diameter sanitary sewer.

- 2.3 Regional staff do not have standing authority to approve cost sharing in Servicing Agreements where Regional costs exceed \$500,000. Regional Council's approval is required for the Region Share payments within this Servicing Agreement.
- 2.4 All other requirements of the Regional Servicing Agreement will be in place, including the posting of a letter of credit for 100 percent of the cost of the works, Regional inspection requirements and the two-year infrastructure maintenance period.

3. Previous Reports and Decisions

- 3.1 There are no previous reports/decisions related to this report.

4. Financing

- 4.1 Financing of \$5,608,100, including the Developer's share of \$3,909,000 and the Region's share of \$1,699,100 for the oversizing costs can be provided from the following sources:

Developer's Share – Sanitary Sewer

Whitby Con Seven Developments Limited	<u>\$3,909,000</u>
Total Developer's Share	<u>\$3,909,000</u>

Regional Share – Sanitary Sewer

2022 Sanitary Sewage System Capital Budget

Item 62: West Brooklin Trunk Sanitary Sewer from west of Cochrane St. to east of Highway No. 12, Whitby Region's share (Project ID: D2002)

Residential Development Charges	\$1,253,900
Commercial Development Charges	\$78,200
User Rate	<u>\$367,000</u>
Total Regional Share	<u>\$1,699,100</u>
Total Project Financing	<u>\$5,608,100</u>

5. Relationship to Strategic Plan

- 5.1 This report aligns with the following strategic goals and priorities in the Durham Region Strategic Plan:

- a. Goal 5 Service Excellence – to provide exceptional value to Durham taxpayers through responsive, effective and fiscally sustainable services delivery.
- b. Priority 5.1 – Optimize resources and partnerships to deliver exceptional quality services and value.

6. Conclusion

- 6.1 It is recommended that Regional Council enter into a Servicing Agreement with Whitby Con Seven Developments Limited containing the foregoing provisions and that the capital works be approved as identified in the report.
- 6.2 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the financial recommendation.
- 6.3 For additional information, contact: Charlotte Pattee, Development Approvals Engineer, at 905-668-7711, extension 3435.

7. Attachments

- 7.1 Attachment #1: Location Plan
- 7.2 Attachment #2: Whitby Con Seven Developments Limited Request Letter

Respectfully submitted,

Original signed by:

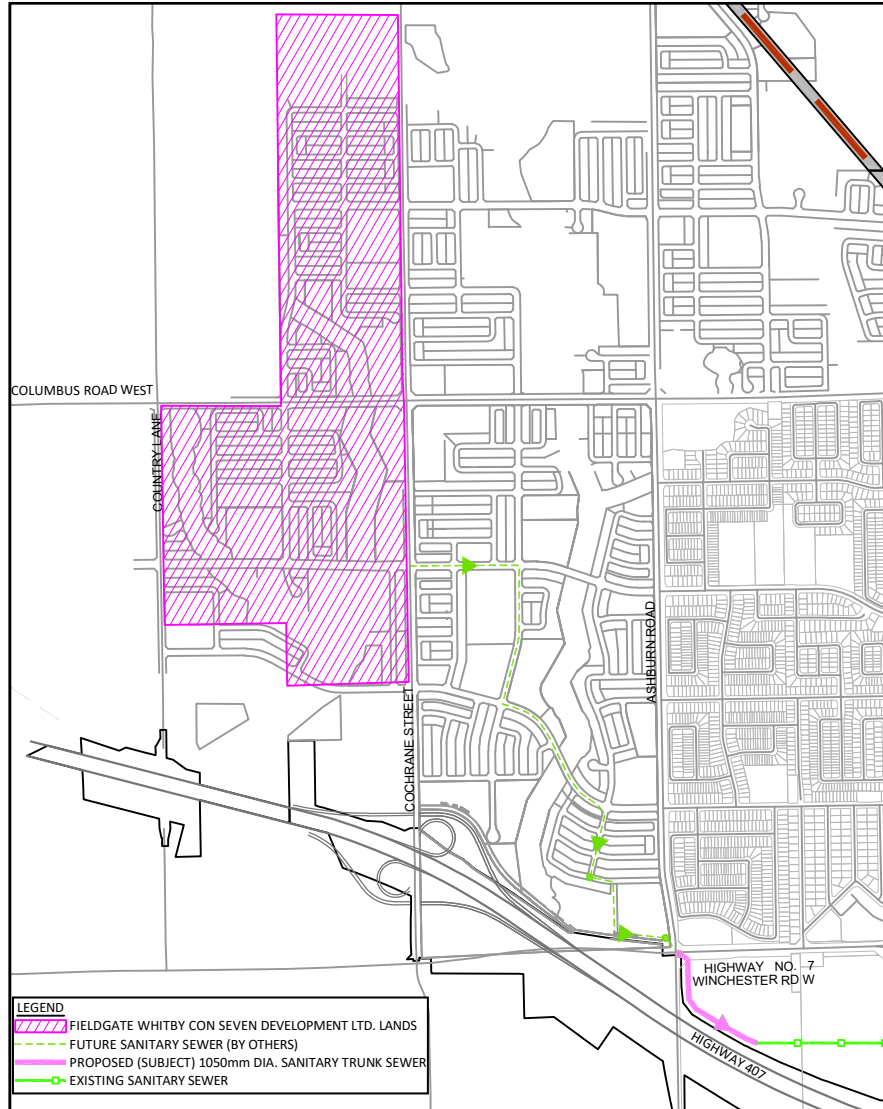
Ramesh Jagannathan
MBA, M.Eng., P.Eng., PTOE
Acting Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer

ATTACHMENT 1: KEY PLAN





Matthew Cory
905 513 0170 x116
MCory@mgp.ca

April 4, 2023

MGP File: 17-2666

Mr. Paul Gillespie, P.Eng
Manager, Development Approvals
The Regional Municipality of Durham
605 Rossland Road East
Whitby, Ontario
L1N 6A3

via email: paul.gillespie@durham.ca

Dear Mr. Gillespie:

RE: Extension of the 1050mm diameter Northwest Brooklin Trunk Sanitary Sewer to the North Brooklin Comprehensive Block Plan Area

The Brooklin North Landowners Group Inc., has considered the need to provide sanitary servicing to the west portion of the Community Block Plan lands and is requesting that the Region allow Whitby Con Seven Developments Limited to design and construct the extension of the 1050mm diameter Northwest Brooklin Trunk Sanitary Sewer shown as Item #227 in the 2018 Regional Development Charges Background Study.

We are requesting the Region fund the Region Share of this sewer based on the assumptions below:

1. Whitby Con Seven Developments Limited will enter into a Servicing Agreement with the Region on behalf of the benefitting landowners in the group to provide the sewer.
2. The minimum sewer size to be used in the Region Share calculations is 675mm diameter sewer which accounts for all of the lands in the drainage area owned by the benefitting landowners of the BLG.
3. Whitby Con Seven Developments Limited is prepared to have this Servicing Agreement registered on title of their lands and will be the entity to deal with on all matters related to the work, including any payments/contributions.
4. All other rights and responsibilities of Whitby Con Seven and the Region will be based on the Region's standard servicing agreements, including registration on the Whitby Con Seven Land.

It would be appreciated if we could receive a response to this request as quickly as possible so that the works can be initiated. Please let me know if you require any additional information at this time.

Should you have any questions, please do not hesitate to contact the undersigned.

Attachment #2 to Report #2023-W-27

Yours very truly,
Malone Given Parsons Ltd.



Matthew Cory, MCIP, RPP, PLE, PMP

Principal, Planner, Land Economist, Project Manager

cc.

C. Pattee, Regional Municipality of Durham
P. Angelo, Town of Whitby
Brooklin Landowners Group Inc.



The Regional Municipality of Durham Report

To: Works Committee
From: Acting Commissioner of Works
Report: #2023-W-28
Date: June 7, 2023

Subject:

Amendment of the Negotiated Contract with Xylem Canada LP for Maintenance Services and/or Parts for Equipment Installed at the Duffin Creek Water Pollution Control Plant, in the City of Pickering

Recommendation:

That the Works Committee recommends to Regional Council:

- A) That the negotiated contract for maintenance services and/or parts with Xylem Canada LP be amended to reflect an increase from the original annual value of \$375,000* by \$300,000* to a revised annual amount of \$675,000*, with all other terms and no change from the original term of the contract not to exceed five years; and
 - B) That financing for the additional costs be provided from the approved annual Sanitary Sewerage Operating Budget for the Duffin Creek Water Pollution Control Plant, to be cost-shared with the Regional Municipality of York, with the Regional Municipality of Durham's share to be determined annually based on process utilization.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to seek Regional Municipality of Durham (Region) Council approval to amend the negotiated agreement for the purchase of maintenance services and/or spare parts for equipment located at the Duffin Creek Water Pollution Control Plant in the City of Pickering (Pickering).

- 1.2 Dollar amounts followed by an asterisk (*) are before applicable taxes.

2. Background

- 2.1 On September 29, 2021, Regional Council approved Works Committee Report #2021-W-32 authorizing the negotiation of several sole source agreements with vendors and manufacturers for the maintenance of existing and new equipment at the Duffin Creek Water Pollution Control Plant (WPCP).
- 2.2 Xylem Canada LP (Xylem) was identified and approved as one of the equipment manufacturers with whom an annual negotiated agreement was executed. The estimated annual value of the contract with Xylem was \$375,000*, with a term not to exceed five years. The estimated annual value was based on an original scope of work that included annual pump removal and inspection, maintenance service, and spare parts as required for submersible raw sewage pumps installed in the Stage 3 Influent Pumping Station circa 2013 and in the Stages 1 and 2 Influent Pumping Station circa 2017.

3. Amendments to Annual Value

- 3.1 The annual dollar value of the requirements has risen due to increases in the cost of raw materials used for the manufacture of spare parts, ongoing supply chain challenges, and fuel price increases that have impacted the cost of performing the scheduled inspections and associated pump repairs.
- 3.2 In addition, the scope of inspections undertaken on the Influent Pumping Station pumps has been expanded to include their guide rail support systems. The inspections and any associated repairs identified involve confined space entry and working from heights protocols. This increase in the scope of the agreement is required due to observed fatigue of the guide rail support anchors in the Stage 3 Influent Pumping Station. A failure of the support anchors would prohibit pump removal via the guide rail, necessitating complex and expensive alternative actions to remove a pump.
- 3.3 As a result of the above impacts, the revised estimated annual value for the contract with Xylem is \$675,000.

4. Financial Implications

- 4.1 Section 7.2 of the Region's Purchasing By-law #16-2020 permits the acquisition of goods and services through sole source negotiations under specific

circumstances outlined in Appendix “C” of the by-law. Section 1.1 of Appendix “C” permits negotiations for goods or services that can be supplied only by a particular supplier where no reasonable alternative or substitute goods or services exist to ensure compatibility with existing goods or to maintain specialized goods that must be maintained by the manufacturer of those goods or its representative. The by-law also requires approval by the appropriate standing committee and Council for the award of sole source contracts that exceed \$100,000 in value.

- 4.2 Financing for the maintenance service and/or parts supply agreements with Xylem, estimated at an annual cost of \$675,000*, will be funded from the annual Sanitary Sewerage Operating Budget for the Duffin Creek WPCP, cost-shared with the Regional Municipality of York, with Durham’s share to be determined annually based on the operating agreement with the Regional Municipality of York Region.

5. Relationship to Strategic Plan

- 5.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:

- a) Optimize resources and partnerships to deliver exceptional quality services and value; and
- b) Collaborate for a seamless service experience.

- 5.2 Standardization of supplies and services of specialized equipment will aid in the promotion of asset longevity and reduced, unplanned facility maintenance events.

6. Conclusion

- 6.1 It is recommended that Regional Council approve the additional requirements for the maintenance and/or parts supply agreement with Xylem as outlined within this report.
- 6.2 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the financial recommendations.

6.3 For additional information, contact: Jeff Murray, Duffin Creek Water Pollution Control Plant Superintendent, at 905-686-2002.

Respectfully submitted,

Original signed by:

Ramesh Jagannathan
MBA, M.Eng., P.Eng., PTOE
Acting Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Works Committee
From: Acting Commissioner of Works
Report: #2023-W-29
Date: June 7, 2023

Subject:

Tender Award and Additional Financing for Regional Municipality of Durham Contract #D2023-57 for the Replacement of a Watermain on Simcoe Street from Union Street to 480 Metres South of Union Street, Bay Street from Main Street to Union Street, Church Street from Osborne Street to Mill Street, and Mill Street from Church Street to Bay Street in the Township of Brock (Beaverton)

Recommendation:

The Works Committee recommends to Regional Council:

- A) That Regional Municipality of Durham Contract #D2023-57 be awarded to the lowest compliant bid from Nick Carchidi Excavating Ltd. in the amount of \$4,503,112* for a total estimated project cost of \$6,216,250;
- B) That the previously approved project budget of \$4,281,250 be increased by \$1,935,000 to a revised total project budget of \$6,216,250; and
- C) That additional water supply financing of \$1,935,000 be provided from the following sources:

Previously Approved Financing

Replacement of watermain (K1901/2/3/4/5/6)

Asset Management Reserve Fund	\$4,281,250
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Additional Financing

2023 Water Supply Capital Budget

Item No.32, Municipality of Clarington Road Program
(Project ID: C2399)

User Rate \$494,000

Item No.78 Replacement of a watermain on Simcoe St. South
and easement South of Bloor St., Oshawa (Project ID: O1902)

Asset Management Reserve Fund \$135,000

Item No. 79 Replacement of watermain and sanitary sewer on
Olive Ave. from Simcoe St. to Drew St., Oshawa (Project ID: O1903)

User Rate \$385,000

Item No. 109, Replacement of watermain on Jane St. from
Ida St. to 220 m north of Ida St., Sunderland (Project ID: K2101)

Asset Management Reserve Fund \$775,000

Item No. 110, Replacement of watermain on Maple St. from
River St. to dead-end, Sunderland (Project ID: K2102)

Asset Management Reserve Fund \$146,000

Total Additional Financing \$1,935,000

Total Project Financing \$6,216,250

Report:**1. Purpose**

- 1.1 The purpose of this report is to obtain approval for additional financing and to award Regional Municipality of Durham Contract #D2023-57 for the replacement of the watermain on Simcoe Street from Union Street to 480

metres (m) south of Union Street, Bay Street from Main Street to Union Street, Church Street from Osborne Street to Mill Street, and Mill Street from Church Street to Bay Street in the Township of Brock (Beaverton).

- 1.2 Dollar amounts followed by an asterisk (*) are before applicable taxes.

2. Project Background

- 2.1 The Region completed the detailed design for the replacement of a 300-millimetre (mm) PVC watermain on Simcoe Street from 10 m west of Union Street to 330 m east of Madill Street, a 200 mm PVC watermain on Bay Street from Main Street to Union Street, a 150 mm PVC watermain on Mill Street from 20 m North of Bay Street to Church Street, and a 150 mm PVC watermain on Church Street from Mill Street to Osborne Street. The work includes full depth asphalt removal and replacement within the limits of the watermain trench and the replacement of the existing water services to the property line. It is anticipated that construction will commence in the summer of 2023.

3. Tender Information

- 3.1 Four (4) compliant tenders were received for Regional Contract #D2023-57 for the replacement of the watermain on Simcoe Street from Union Street to 480 m south of Union Street, Bay Street from Main Street to Union Street, Church Street from Osborne Street to Mill Street, and Mill Street from Church Street to Bay Street in the Township of Brock (Beaverton) on April 25, 2023, as follows:

Bidder	Total Tender Amount (excluding applicable taxes)
Nick Carchidi Excavating Limited	\$4,503,112
Hard-Co Construction Ltd.	\$5,173,942
Hard Rock Sewer and Watermain	\$7,190,708
Dufferin Construction Company, A Division of CRH Canada Group Inc.	\$7,520,000

3.2 The difference between the tender value and the approved budget is a result of the following factors:

- Contaminated soils have been identified as an existing condition for a portion of the site; surplus soil from trenching for the watermain installation must be disposed of at a licensed landfill site.
- Cost increases for labour, equipment, and material due to inflationary impacts and current market conditions.
- An ongoing investigation into filter media and capacity at the Beaverton Water Supply Plant (WSP) required the construction of the watermain to be staged/sequenced in a manner that would mitigate disruption of water supply to the storage standpipe located at the east limit of Bay Street. The sequencing of the watermain work increased the schedule duration for the Contract.
- The size of the watermain on Bay Street between Main Street and Union Street (~880m length) was increased from 150 mm to 200 mm diameter to improve conveyance capacity within the Beaverton system, particularly the sections of the system that link the standpipe to the WSP. This upsizing of pipe size increased material costs.

3.3 It is recommended that the lowest compliant bidder, Nick Carchidi Excavating Ltd., be awarded Regional Contract #D2023-57.

4. Financial Implications

4.1 Section 15.3 of the Region's Budget Management Policy requires approval of the applicable Standing Committee and Regional Council for additional project financing requirements exceeding \$250,000 prior to the award of the applicable contract.

4.2 The recommended revised project budget of \$6,216,250 can be financed as follows:

Description	Asset Management Reserve Funds \$	User Revenue \$	Total \$
Previously Approved Financing:	-	-	-
Water Supply			
Replacement of watermain on Simcoe St. from Union St. to 480 m south of Union St., Beaverton (Project ID: K1901)	1,037,500	0	1,037,500
Replacement of watermain on Bay St. from Union St. to Osborne St., Beaverton (Project ID: K1902)	806,250	0	806,250
Replacement of watermain on Bay St. from Osborne St. to Mill St., Beaverton (Project ID: K1903)	500,000	0	500,000
Replacement of watermain on Church St. from Osborne St. to Mill St., Beaverton (Project ID: K1904)	712,500	0	712,500
Replacement of watermain on Mill St. from Church St. to Bay St., Beaverton (Project ID: K1905)	481,250	0	481,250
Replacement of watermain on Bay St. from Mill St. to Main St., Beaverton (Project ID: K1906)	743,750	0	743,750
Total Approved Water Supply Financing	<u>4,281,250</u>	<u>0</u>	<u>4,281,250</u>
Additional Financing:			
Municipality of Clarington Road Program (Project ID: C2399)	0	494,000	494,000
Replacement of a watermain on Simcoe St. South and easement South of Bloor St., Oshawa (Project ID: O1902)	135,000	0	135,000
Replacement of watermain and sanitary sewer on Olive Ave. from Simcoe St. to Drew St., Oshawa (Project ID: O1903)	0	385,000	385,000
Replacement of watermain on Jane St. from Ida St. to 220 m north of Ida St., Sunderland (Project ID: K2101)	775,000	0	775,000
Replacement of watermain on Maple St. from River St. to dead-end, Sunderland (Project ID: K2102)	146,000	0	146,000
Total Additional Water Supply Financing	<u>1,056,000</u>	<u>879,000</u>	<u>1,935,000</u>
Total Revised Project Financing	<u>5,337,250</u>	<u>879,000</u>	<u>6,216,250</u>

- 4.3 The projects listed in the table above have been deferred. Financing will be requested as part of the 2024 Business Planning and Budgets process.

5. Conclusion

- 5.1 It is recommended that Regional Council approve the award of Regional Municipality of Durham Contract #D2023-57 for the replacement of the watermain on Simcoe Street from Union Street to 480 metres south of Union Street, Bay Street from Main Street to Union Street, Church Street from Osborne Street to Mill Street, and Mill Street from Church Street to Bay Street in the Township of Brock (Beaverton) to the lowest compliant bidder, Nick Carchidi Excavating Limited.
- 5.2 It is also recommended that additional project financing in the amount of \$1,935,000 be approved as detailed in this report.
- 5.3 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the financial recommendations.
- 5.4 For additional information, please contact Dan Waechter, Manager, Construction Management at 905-668-7711, extension 3550.

Respectfully submitted,

Original signed by:

Ramesh Jagannathan
MBA, M.Eng., P.Eng., PTOE
Acting Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Works Committee
From: Acting Commissioner of Works
Report: #2023-W-30
Date: June 7, 2023

Subject:

Lease Agreement with the Town of Whitby for Space Located at 312 Colborne Street West, in the Town of Whitby, for the Social Services Department, Income, Employment and Homelessness Support Division

Recommendations:

That the Works Committee recommends to Regional Council:

- A) That the Lease Agreement with the Town of Whitby for the premises located at 312 Colborne Street West, in the Town of Whitby, be approved with the following terms and conditions:
- i) The lease term for the facility is for a period of five (5) years commencing July 1, 2023, and ending on June 30, 2028;
 - ii) The annual rent for the first year of the lease term, including utilities, will be two dollars (\$2.00*), payable in advance;
 - iii) The annual rent for the second year of the lease term, commencing July 1, 2024, and ending June 30, 2025, will be Twenty-Five Thousand Dollars (\$25,000.00*), payable in advance;
 - iv) For each successive year of the lease term, the annual rent will be increased by the percentage increase in the All-Item Consumer Price Index;
 - v) The Regional Municipality of Durham will have the option to renew the lease for an additional two (2) terms of two (2) years subject to the terms and conditions agreed upon at the time of renewal;

- vi) The Region will be responsible for all maintenance and repair to the leased space, property taxes (if applicable), and all costs associated with emergency calls and repairs made because of the negligence or misconduct of the Tenant or the Occupants;
 - vii) The Landlord will be responsible for making all improvements, repairs, renovations, and alterations to the exterior of the building and property, as well as all systems servicing the leased space (e.g., HVAC (Heating, Ventilation and Air Conditioning)) unless required because of the Tenant's or the Occupants' negligence or misconduct; and
- B) That the Regional Chair and Clerk be authorized to execute all documents associated with the Lease Renewal.
-

Report:**1. Purpose**

- 1.1 The purpose of this report is to obtain approval to execute the lease with the Town of Whitby as per the terms and conditions outlined herein.
- 1.2 Amounts followed by an asterisk (*) are exclusive of applicable taxes.

2. Background

- 2.1 Real Estate staff received a request from the Social Services Department to negotiate a lease agreement with the Town of Whitby to use space located at 312 Colborne Street West, in the Town of Whitby. The space is to be used as a transitional home for displaced families.
- 2.2 Homelessness continues to rise in the Region with approximately 300 people experiencing homelessness and 180 being homeless for more than six months. There is a lack of supportive and affordable housing and shelter space in the Region which contributes to the growing waitlist for community housing. As a result, the need for additional shelter space and housing is a priority.

3. Terms of Lease

- 3.1 The proposed Lease Agreement is for five (5) years commencing July 1, 2023, and ending June 30, 2028. The Region will have the option to renew for a further two (2) terms of two (2) years subject to the terms and conditions agreed upon at the time of renewal.

3.2 The proposed annual rental rates, inclusive of utilities, during the Term of the Lease are as follows:

- a) The rent for the first year of the lease term, including utilities, will be Two Dollars (\$2.00*), payable in advance;
- b) The annual rent for the second year of the lease term, commencing July 1, 2024, and ending June 30, 2025, will be Twenty-Five Thousand Dollars (\$25,000.00*), payable in advance; and
- c) For each successive year of the Term, the annual rent will be increased by the percentage increase in the All-Item Consumer Price Index.

3.3 The Region will be responsible for the completion of all leasehold improvements required to convert the leased space from commercial use to residential. The amount of \$500,000 has been approved in the 2023 budget (G2313) for the upfitting of the space.

3.4 The Region will be responsible for the removal of all leasehold improvements and to restore the leased space to the condition and use existing prior to the execution of the Lease, upon termination or expiration of the said Lease.

3.5 The Region will also be responsible for all maintenance and repair to the leased spaces, property taxes (if applicable), and all costs associated with emergency calls and repairs made because of the negligence or misconduct of the Tenant or the Occupants.

3.6 The Landlord will be responsible for making all improvements, repairs, renovations, and alterations to the exterior of the building and property, as well as all systems servicing the leased space (e.g., HVAC) unless required because of the Tenant's or the Occupants' negligence or misconduct.

4. Financial Implications

4.1 Financing for the lease will be provided from within Social Services Business Plans and Budget for this facility.

4.2 Since the approval of this lease requires a long-term financial obligation for which payment is required beyond the term for which council was elected, the Regional Treasurer has updated the Region's financial debt obligation and obligation limit. In accordance with Section 4 of the Ontario Regulation 403/02, the Region's Treasurer has calculated an updated long-term debt/financial limit and has determined that the

limit has not been exceeded. Therefore, this lease extension does not require the approval of the Local Planning Appeal Tribunal.

5. Relationship to Strategic Plan

5.1 This report aligns with the following strategic goals and priorities in the Durham Region Strategic Plan:

- a) Goal 2.3: Enhance community safety and well-being;
- b) Goal 2.3: Influence the social determinants of health to improve outcomes for vulnerable populations;
- c) Goal 2.4: Support a high quality of life for all through human services delivery;
- d) Goal 2.5: Build a healthy, inclusive, age-friendly community where everyone feels a sense of belonging;
- e) Goal 4.4: Expand access to existing life stabilization programs; and
- f) Goal 5.1: Optimize resources and partnerships to deliver exceptional quality services and values.

6. Conclusion

6.1 Social Services Department has advised that they wish to lease the space located at 312 Colborne Street West, in the Town of Whitby to operate a transitional home for displaced families. It is recommended that the Lease Agreement be approved based on the above-noted terms and conditions.

6.2 This report has been reviewed by the Finance Department.

6.3 For additional information, please contact Christine Dunkley, Manager, Financial Services and Corporate Real Estate, at 905-668-7711, extension 3475.

Respectfully submitted,

Original signed by:

Ramesh Jagannathan
MBA, M.Eng., P.Eng., PTOE
Acting Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Works Committee
From: Acting Commissioner of Works
Report: #2023-W-31
Date: June 7, 2023

Subject:

Lease Agreement with the Town of Whitby for Space located at 117 King Street, in the Town of Whitby, for the Social Services Department, Income, Employment and Homelessness Support Division

Recommendations:

That the Works Committee recommends to Regional Council:

- A) That the Lease Agreement with the Town of Whitby for the premises located at 117 King Street, in the Town of Whitby, be approved with the following terms and conditions:
- i) The lease term for the facility is for a period of five (5) years commencing July 1, 2023, and ending on June 30, 2028;
 - ii) The annual rent for the lease term, including utilities, will be Twenty-Five Thousand Dollars (\$25,000.00*), payable in advance.
 - iii) The Regional Municipality of Durham will have the option to renew these leases for an additional two (2) terms of two (2) years subject to the terms and conditions agreed upon at the time of renewal;
 - iv) The Region will be responsible for all maintenance and repair to the leased space, property taxes (if applicable), and all costs associated with emergency calls and repairs resulting from the negligence or misconduct of the Tenant or the Occupants;
 - v) The Landlord will be responsible for making all improvements, repairs, renovations, and alterations to the exterior of the building and property, as

well as all systems servicing the leased space (e.g., HVAC (Heating, Ventilation and Air Conditioning)) unless required because of the Tenant's or the Occupants' negligence or misconduct; and

- B) That the Regional Chair and Clerk be authorized to execute all documents associated with the Lease Renewal.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to obtain approval to execute the lease with the Town of Whitby as per the terms and conditions outlined herein.
- 1.2 Amounts followed by an asterisk (*) are exclusive of applicable taxes.

2. Background

- 2.1 Real Estate staff received a request from the Social Services Department to negotiate a lease agreement with the Town of Whitby to use space located at 117 King Street, in the Town of Whitby. The space is currently being used as a warming centre and shelter for residents experiencing homelessness and is under contract with Salvation Army. The Region will be assuming the lease for this facility and will continue to operate same as a warming centre and shelter.
- 2.2 Homelessness continues to rise in the Region with approximately 300 people experiencing homelessness and 180 being homeless for more than six months. There is a lack of supportive and affordable housing and shelter spaces in the Region which contributes to the growing waitlist for community housing. The need for additional shelter space and housing is a priority.

3. Terms of Lease

- 3.1 The proposed Lease Agreement is for five (5) years commencing July 1, 2023, and ending June 30, 2028. The Region will have the option to renew for a further two (2) terms of two (2) years subject to the terms and conditions agreed upon at the time of renewal.

- 3.2 The proposed annual rental rates, inclusive of utilities, during the Term of the Lease are as follows:
- a) The proposed annual rental rate for the first year of the lease term is \$25,000*, payable in advance.
 - b) For each successive year of the Term, the annual rent shall be increased by the percentage increase in the All-Item Consumer Price Index.
- 3.3 The Region will also be responsible for all maintenance and repair to the leased spaces, property taxes (if applicable), and all costs associated with emergency calls and repairs made because of the negligence or misconduct of the Tenant or their Occupants. The Landlord remains responsible for repairs and maintenance of the structure of the building, the premises, and the parking lot.
- 3.4 The Landlord will be responsible for making all improvements, repairs, renovations, and alterations to the exterior of the building and property, as well as all systems servicing the leased space (e.g., HVAC) unless required because of the Tenant or the Occupants' negligence or misconduct.

4. Financial Implications

- 4.1 Financing for this lease will be provided from within Social Services Business Plans and Budget for this facility.
- 4.2 Since the approval of this lease requires a long-term financial obligation for which payment is required beyond the term for which council was elected, the Regional Treasurer has updated the Region's financial debt obligation and obligation limit. In accordance with Section 4 of the Ontario Regulation 403/02, the Region's Treasurer has calculated an updated long-term debt/financial limit and has determined that the limit has not been exceeded. Therefore, this lease extension does not require the approval of the Local Planning Appeal Tribunal.

5. Relationship to Strategic Plan

- 5.1 This report aligns with the following strategic goals and priorities in the Durham Region Strategic Plan:
- a) Goal 2.3: Enhance community safety and well-being;
 - b) Goal 2.3: Influence the social determinants of health to improve outcomes for vulnerable populations;

- c) Goal 2.4: Support a high quality of life for all through human services delivery;
- d) Goal 2.5: Build a healthy, inclusive, age-friendly community where everyone feels a sense of belonging;
- e) Goal 4.4: Expand access to existing life stabilization programs; and
- f) Goal 5.1: Optimize resources and partnerships to deliver exceptional quality services and values.

6. Conclusion

- 6.1 Social Services has advised that they wish to lease the spaces located at 117 King Street in the Town of Whitby for the operation of a warming centre/shelter. It is recommended that the Lease Agreement be approved based on the above-noted terms and conditions.
- 6.2 This report has been reviewed by the Finance Department.
- 6.3 For additional information, please contact Christine Dunkley, Manager, Financial Services and Corporate Real Estate, at 905-668-7711, extension 3475.

Respectfully submitted,

Original signed by:

Ramesh Jagannathan
MBA, M.Eng., P.Eng., PTOE
Acting Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham

Report

To: Works Committee
From: Acting Commissioner of Works
Report: #2023-W-32
Date: June 7, 2023

Subject:

Approval to Award Sole Sourced Maintenance Service and/or Parts Supply Agreements for Process Control and Analytical Testing Equipment Within Water and Wastewater Facilities

Recommendations:

That the Works Committee recommends to Regional Council:

- A) That process control and analytical testing equipment installed across various water and wastewater facilities be standardized to Hach Company manufactured products for a term based on the manufacturer's expected life of the product;
 - B) That Hach Company manufactured equipment be specified in all tender documentation, and that sole source agreements be negotiated with authorized vendors for the ongoing supply of parts, servicing and reagent included as part of the tendering process for the life of the equipment procured; and
 - C) That financing for the acquisition, maintenance service, parts and reagent be provided from the approved annual Sanitary Sewerage and Water Supply Operating Business Plans and Budgets for the various facilities. It is estimated that the annual cost of parts, service and reagent will not exceed \$350,000*.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to seek Regional Municipality of Durham (Region) Council approval to standardize the supply of parts and reagents for products manufactured by Hach Company. Approval is also being sought to negotiate and

award sole source maintenance service, parts and reagent supply contracts with the vendors selected through competitive bidding processes for the supply of equipment through Regional tenders.

- 1.2 Dollar amounts followed by an asterisk (*) are excluding net HST.

2. Background

- 2.1 The Regional Municipality of Durham (Region) Works Department has an inventory of process control and testing equipment used across its facilities. The equipment is supplied by Hach Company which manufactures and distributes analytical instruments and reagents used to test the quality of water, wastewater and other liquid solutions.
- 2.2 This equipment has been procured competitively over the years through Durham's procurement processes and supplied through vendors that are authorized representatives for Hach Company products.
- 2.3 Consumable spare parts, replacement components, service and other items can only be obtained through the original vendor or their authorized Ontario representative. The analyzers require standard chemical reagents that are used in the analytical testing process that cannot be provided by an alternative vendor due to their specific formulation.
- 2.4 Some of the analytical test instruments are used for specialized testing of treated water supply and/or discharged final wastewater effluent. This compliance-based data is required to comply with the Ministry of the Environment, Conservation and Parks (MECP) Environmental Compliance Approvals. The testing protocols must be strictly adhered to, or the Region may be at risk of non-compliance.
- 2.5 Previous contracts were at a threshold below the requirement for Regional Council's authorization. The existing agreement expires this year, and a new tender must be issued to maintain continuity of supply. The current inventory of equipment has since grown, and this, along with increased spare parts and reagent pricing has elevated this procurement above the Council authorized threshold limit.

3. Previous Reports and Decisions

- 3.1 There are no previous reports or decisions on file.

4. Rationale for Standardization and Sole Source Approval of Maintenance Service and/or Parts Supply Agreements

- 4.1 Standardizing the supply of parts and reagents for products manufactured by Hach Company ensures continuity in testing and reported results and minimizes the training requirements for staff utilizing the equipment.
- 4.2 The existing standing agreement for subsequent service, parts and reagent supply was derived from a previously issued tender and will expire this year. A new tender must be issued to maintain operational continuity.
- 4.3 Finalization of the cost and scope of the agreement will be negotiated with the successful vendor upon Regional Council approval. The duration of the agreement will be termed to the life of the assets as the equipment has a life cycle more than the standard 5-year term normally sought.
- 4.4 The pricing cap has been estimated from a review of the procurement of representative services and/or parts to date from the existing standing agreement which will expire this year.
- 4.5 The use of the maintenance services and/or parts supply agreement will ensure the Region can obtain preferential pricing and secure a source of supply in a supply chain challenged environment.

5. Financial Implications

- 5.1 Section 7.2 of the Region's Purchasing By-law #16-2020, permits the acquisition of goods and services through sole source negotiations under specific circumstances outlined in Appendix "C" of the by-law. Section 1.1 of Appendix "C" permits negotiations for goods or services that can be supplied only by a particular supplier where no reasonable alternative or substitute goods or services exist to ensure compatibility with existing goods or to maintain specialized goods that must be maintained by the manufacturer of those goods or its representative. The by-law also requires approval by the appropriate standing committee and Council for the award of sole source contracts that exceed \$100,000 in value.
- 5.2 Financing for the acquisition, maintenance services, parts and reagent supply will be provided from the approved annual Sanitary Sewerage and Water Supply Capital and Operating Business Plans and Budgets. It is anticipated that the cost of maintenance, parts and reagent supply will not exceed \$350,000* per annum.

6. Relationship to Strategic Plan

- 6.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:

- a. Optimize resources and partnerships to deliver exceptional quality services and value.
 - b. Collaborate for a seamless service experience.
- 6.2 Standardization of specialized analytical testing and process control equipment will aid in the promotion of asset longevity and continuity of operational performance.

7. Conclusion

- 7.1 It is recommended that Regional Council approve the use of standardized supply of parts and reagents for Hach Company manufactured products for existing process control and analytical testing equipment used throughout the Region's water and wastewater facilities. The successful vendor selected through a competitive process will supply ongoing maintenance, parts and reagent chemicals subject to negotiations of a contract satisfactory to the Commissioner of Finance.
- 7.2 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the financial recommendations.
- 7.3 For additional information, contact: Rich Tindall, Manager of Plant Operations at 905-668-7711, extension 3547.

Respectfully submitted,

Original signed by:

Ramesh Jagannathan
MBA, M.Eng., P.Eng., PTOE
Acting Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer