

# The Regional Municipality of Durham

Works Committee Revised Agenda

Wednesday, February 7, 2024, 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 <u>viewed via live streaming</u>.

**Pages** 1. Roll Call 2. **Declarations of Pecuniary Interest** 3. **Adoption of Minutes** 3 3.1 Works Committee meeting - January 10, 2024 4. Statutory Public Meetings There are no statutory public meetings 5. **Presentations** \*5.1 8 Andrew Evans, Director of Waste Management and Peter Veiga, Manager of Waste Operations Re: Update on Durham's Transition to Extended Producer Responsibility (EPR) and Organics Program Changes 6. **Delegations** There are no delegations 7. Waste

- 7.1 Correspondence
- 7.2 Reports

  There are no Waste Reports to be considered
- 8. Works
  - 8.1 Correspondence

# 8.2 Reports

Report #2024-W-3
 Lease Extension and Amendment Agreement with 2381502
 Ontario Inc., Operating as Midtown Centre for Premises occupied by Social Services Department, Income and Employment Support Division, located at 200 John Street in the City of Oshawa

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 Report #2024-W-4
 Sole Source Procurement of Plow and Grader Blades and Maintenance Parts for Maintenance Operations and Fleet Services

# 9. Advisory Committee Resolutions

There are no advisory committee resolutions to be considered

#### Confidential Matters

There are no confidential matters to be considered

#### 11. Other Business

# 12. Date of Next Meeting

Wednesday, March 6, 2024 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.

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

# The Regional Municipality of Durham

#### **MINUTES**

#### **WORKS COMMITTEE**

# Wednesday, January 10, 2024

A regular meeting of the Works Committee was held on Wednesday, January 10, 2024 in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:30 AM. Electronic participation was offered for this meeting.

#### 1. Roll Call

Present: Councillor Barton, Chair

Councillor Marimpietri, Vice-Chair

Councillor Cook\*
Councillor Crawford
Councillor Mulcahy
Councillor Nicholson\*
Councillor Yamada\*
Regional Chair Henry\*

\*denotes Councillors participating electronically

Absent: None

Also

Present: Councillor Ashe\*

Councillor Garrod\* Councillor Pickles\* Councillor Wotten\*

\*denotes visiting Councillors participating electronically

Staff

Present: E. Baxter-Trahair\*, Chief Administrative Officer

- S. Ciani, Committee Clerk, Corporate Services Legislative Services
- S. Dessureault, Committee Clerk, Corporate Services Legislative Services
- C. Dunkley, Director of Corporate Infrastructure and Strategic Business Services, Works Department
- A. Evans\*, Director of Waste Management Services
- A. Harras, Regional Clerk/Director of Legislative Services
- B. Holmes, General Manager, Transit
- M. Hubble\*, Director of Environmental Services
- J. Hunt, Regional Solicitor/Director of Legal Services
- R. Inacio, Systems Support Specialist, Corporate Services IT
- R. Jagannathan, Acting Commissioner of Works
- I. McVey\*, Manager of Sustainability
- L. Saha, Manager of Waste Services

- N. Taylor\*, Commissioner of Finance
- N. Walton, Acting Corporate Privacy Officer
- \* denotes staff participating electronically

# 2. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

# 3. Adoption of Minutes

Moved by Councillor Mulcahy, Seconded by Councillor Crawford,

- (1) That the minutes of the following meetings be adopted:
- Regular Works Committee meeting held on December 6, 2023; and
- Special Works Committee meeting held on December 11, 2023.
   CARRIED

# 4. Statutory Public Meetings

There were no statutory public meetings.

#### 5. Presentations

There were no presentations heard.

## 6. Delegations

6.1 David Ward, Uxbridge Resident, re: Traffic Surveillance, Speed Cameras, Concerns Regarding the Information and Data Collected, and Privacy Issues

David Ward, Uxbridge Resident, appeared before the Committee with respect to traffic surveillance, speed cameras, concerns regarding the information and data collected, and privacy issues.

- D. Ward expressed his concerns regarding what information and data is being collected from the surveillance equipment and speed cameras in particular and asked the Committee the following questions:
- What information is being collected?
- What third parties have access to this information?
- Is the information being monetized?
- Is Al facial recognition (or any Al) being employed?
- Are license plates being recorded (by traffic surveillance cameras)?
- Is other data, such as emissions, being collected (through SMART streetlights or other technology)?

Moved by Councillor Crawford, Seconded by Councillor Mulcahy,

(2) That Works staff be requested to provide previous Commissioner Reports with respect to Automated Enforcement to David Ward directly.

CARRIED

### 7. Waste

# 7.1 <u>Correspondence</u>

There were no communication items considered.

# 7.2 Reports

There were no Waste reports considered.

#### 8. Works

# 8.1 <u>Correspondence</u>

There were no communication items considered.

# 8.2 Reports

A) Appointment of Additional Risk Management Official as required by the Clean Water Act, 2006 (2024-W-1)

Report #2024-W-1 from R. Jagannathan, Acting Commissioner of Works, was received.

Moved by Councillor Marimpietri, Seconded by Councillor Mulcahy,

- (3) That we recommend to Council:
- A) That Regional Council appoint Shelly Cuddy as Risk Management Official under the Clean Water Act, 2006, Part IV, Sec.47 (6);
- B) That the Regional Clerk issue a certificate of appointment bearing the clerk's signature to the Risk Management Official as appointed by Regional Council;
- C) That the necessary by-laws be amended to affect the appointment;
- D) That the Regional Clerk circulate Report #2024-W-1 of the Acting Commissioner of Works to Source Protection Authorities with a request to obtain Section 88 Powers of Entry for Regional staff for the purposes of inspection as defined in the Clean Water Act, 2006; and
- E) That the Regional Clerk circulate Report #2024-W-1 to the Clerks of local municipalities and Chairs of the South Georgian Bay Lake Simcoe,

Trent Conservation Coalition and Credit Valley Toronto and Region Central Lake Ontario Source Protection Committees.

CARRIED

B) Sole Source Purchase of System Integrator Services from Talan (formerly Createch) for the upgrade of IBM's (the vendor) Enterprise Maintenance Management System (Maximo) to IBM's (Maximo Application Suite (MAS) Platform) (2024-W-2)

Report #2024-W-2 from R. Jagannathan, Acting Commissioner of Works, was received.

Moved by Councillor Marimpietri, Seconded by Councillor Cook,

- (4) That we recommend to Council:
- A) That staff be authorized to negotiate and award a sole source contract to Talan (formerly Createch) for the provision of System Integrator Services for the upgrade of the existing IBM's Enterprise Asset Management Software (Maximo) to be compatible with the Software provider's (IBM) most recent platform, Maximo Application Suite (MAS), for a total project estimated amount of \$751,250\* to be funded within the approved project budget; and
- B) That the Commissioner of Finance be authorized to execute the necessary documents for the negotiated agreement.

  (\*) before applicable taxes

**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, February 7, 2024 at 9:30 AM in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby.

# 13. Adjournment

Moved by Councillor Marimpietri, Seconded by Councillor Mulcahy (5) That the meeting be adjourned.  CARRIED
The meeting adjourned at 9:41 AM
Respectfully submitted,
D. Barton, Chair
S. Ciani, Committee Clerk



# Update on Durham Region's Transition to Extended Producer Responsibility and Organics Program Changes

February 7, 2024 Works Committee



# **Purpose**

To provide Works Committee with updates on two key 2024
 Waste Management programs:

- Transitioning of responsibility for Blue Box recycling from municipalities to Producers
- Planned launch of the Enhanced Green Bin program



# Blue Box Regulation (Ontario Regulation 391/21)

# Resource Recovery and Circular Economy Act, 2016

- Establishes Extended Producer Responsibility (EPR) for designated products in Ontario.
- Establishes Resource Productivity and Recovery Authority (RPRA) a thirdparty Registrar and oversight agency.

# Regulation transfers responsibility for Blue Box recycling from municipalities to Producers

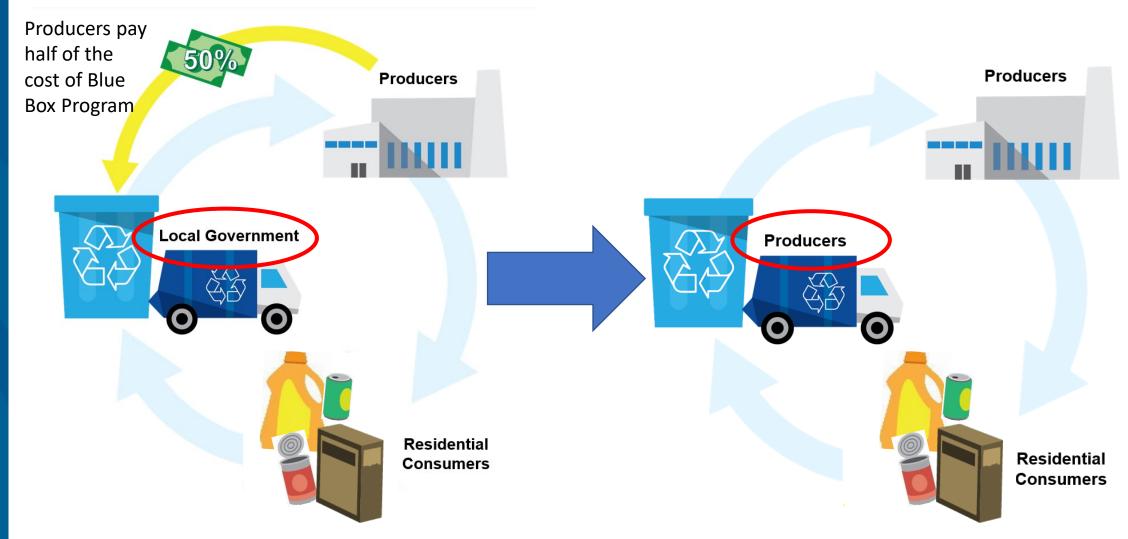
- Municipalities are no longer financially or operationally responsible for the Blue Box collection, processing or marketing.
- Producers must meet material collection targets.
- Three-year phase-in for all Ontario municipalities (2023-2025)
- All eight Durham Region local area municipalities will transition to the new regulation on July 1, 2024.
- New Blue Box Program will be fully in effect province-wide January 1, 2026.

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# Current

# **After July 1, 2024**



Durham Region is a producer in both scenarios due to the paper distributed to residents that could be placed in the Blue Box.

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# Roles and Responsibilities

Producers work independently or with a PRO to meet their obligations

# **Producers**

# **Producers will:**

- Collect, process and market Blue Box materials.
- Determine collection schedule, type (single vs. two-stream), and container types (carts vs. box) after January 1, 2026 (no changes until then).
- Provide Blue Box public education
- Report data required for RPRA to assess if program performance targets are being met.



**RPRA** assigns Producer obligations based on reported materials sold in Ontario and provides oversight.

Provide service via contracts with private and/or municipal service providers











# **Eligible Sources**

**Continued** – Single-family homes, seasonal residences, multi-residential buildings.

Added in 2026 - Schools, non-profit retirement and long-term care homes, public spaces.

**Removed** – Business Improvement Areas (BIAs), industrial, commercial, institutional sources, waste management facilities.

July 1, 2024 – December 31, 2025: Durham Region is paying for BIAs to receive Blue Box collection. Approach post January 2026 to be determined.

All Ontario communities outside of the <u>Far</u> <u>North</u>, including First Nation communities.





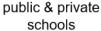


single-family homes

seasonal dwellings

multi-unit residential buildings







**specified** retirement & long-term care homes



specified public spaces

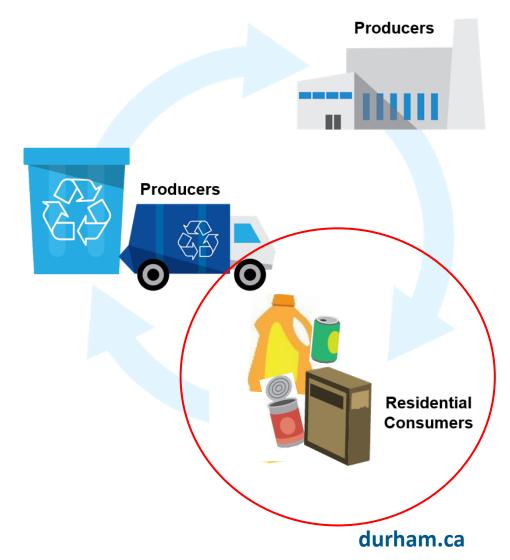
(O. Reg 391/21 s. 1 & 4)

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# July 1, 2024, to December 31, 2025

- No change for residents.
- Miller Waste and GFL collect Blue Box materials (under contract with Circular Materials Ontario (CMO)).
- Collection days, accepted materials, two-stream recycling remain the same.
- Collected materials will be divided into allocations processed by facilities retained by various PROs.





# **Transition Communication to Residents**



# **Key messages through to December 31, 2025:**

- Starting July 1, 2024, the producers of the paper and packaging collected in the Blue Box are responsible for collecting, processing and marketing the material.
- Miller Waste and GFL will continue to provide curbside collection but will be working for a producer organization, not Durham Region.
- Producers and their contractors will be responsible for providing new and replacement Blue Boxes to residents and following up on any resident concerns with collection service.
- Blue Box contact information currently unknown.
- Additional program changes may take place in 2026.

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# **Blue Box Transition Communication Channels and Timelines**







Durham.ca/BlueBox has been updated with transition messaging.



 Messaging on all digital, radio, television, Regional e-newsletter and social media channels.



 Stickers will be placed on Blue Boxes with transition messaging and customer service contact details.



 Durham Region Waste App and Whitby Waste Buddy will distribute key messaging.

- Postcards will be handed out at all spring community events and Regional Waste Management Facilities (WMFs), advising residents of upcoming changes.
- Display at National Public Works Week and other community events.



# **Contractual Changes**

- To implement transition at an operational level, several Regional contracts must be changed.
- In some cases, new agreements are needed to enable Durham Region to continue to offer services.
- Committee and Council will see related reports and agreements over the coming months in accordance with procurement by-laws.

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# **Durham Region Material Recovery Facility**



- HGC Management will operate and maintain the Material Recovery Facility (MRF) for Durham Region until June 30, 2024.
- HGC Management will lease MRF from Durham Region for use under the new Blue Box program July 1, 2024, to June 30, 2030;
  - As a transfer station (receiving facility) for Durham Region's Blue Box materials.
  - To potentially process Blue Box materials under contract to PROs.
- Durham Region will no longer be responsible for managing the garbage screened out of the waste at the MRF, resulting in release of approximately 3,000 tonnes per year of Durham York Energy Centre capacity.

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# **Contractual Changes**

- PRO registration to meet legislative requirements.
- Agreement to provide Promotion and Education (P&E) to singlefamily homes through the existing app, alongside communications for other programs.
  - P&E to multi-residential moving to CMO.
- Potential call centre functions (via 311).
- WMF servicing agreement.
- New methodology for provision of diversion kits to residents in Whitby and Oshawa (Durham Region will no longer have any collection operations).
- Changes to battery collection methodology (particularly in Whitby and Oshawa)
- BIA servicing pre and post transition period.

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# **Enhanced Green Bin**

- Launches July 1, 2024.
- Wet Anaerobic Digestion (AD) technology of Durham Region's new organic waste processing contract allows additional materials to be accepted in the Green Bin.
- The Enhanced Green Bin will now accept diapers, adult incontinence products, personal sanitary products, pet waste and pet litter, and other materials.





# **Promotion of Enhanced Green Bin to Residents**

- Residents still required to use 100 per cent compostable Green Bin liner bags and compostable pet waste bags.
- No limit to the number of Green Bins that can be placed at the curb for collection.
- Additional Green Bins for extra capacity will be made available.
- The Enhanced Green Bin is a service improvement for residents to dispose of more (odourous) material on a weekly basis and reduce waste for disposal.



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# **Enhanced Green Bin Communication Channels and Timelines**







Advertising channels include digital, radio, television, Regional enewsletter, transit, social media advertising and mobile signs.



Durham Region Waste App and Whitby Waste Buddy will include campaign messaging. Updated 'Know Before You Throw' material list.



Durham.ca, Oshawa.ca and Whitby.ca updated to include new enhanced Green Bin program information.



- Postcard handed out at all spring community events and Regional WMFs advising residents of upcoming changes.
- Display at National Public Works Week and other community events.

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# **Questions?**

Andrew Evans, M.A.Sc., P.Eng. Director, Waste Management Services andrew.evans@durham.ca

Peter Veiga, B.Sc. Manager, Waste Management Operations peter.veiga@durham.ca

durham.ca @RegionofDurham f y in D







If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



# The Regional Municipality of Durham Report

To: Works Committee

From: Acting Commissioner of Works

Report: #2024-W-3

Date: February 7, 2024

# Subject:

Lease Extension and Amendment Agreement with 2381502 Ontario Inc., Operating as Midtown Centre for Premises occupied by Social Services Department, Income and Employment Support Division, located at 200 John Street in the City of Oshawa

#### Recommendations:

That the Works Committee recommends to Regional Council:

- A) That the Lease Extension and Amendment Agreement with 2381502 Ontario Inc., for the premises located at 200 John Street, in the City of Oshawa, containing 15,776 square feet of office space, be approved with the following terms and conditions:
  - i) The term is for a period of two years, commencing May 1, 2024, and ending April 30, 2026, with the option to renew the lease for an additional two years under the same terms and conditions except the rental rate, which is to be negotiated at time of renewal;
  - ii) The annual rental rate for the two years is \$236,640\* based on a rate of \$15.00\* per square foot per annum;
  - iii) The Regional Municipality of Durham will be responsible for all operating costs for the leased space, including utilities, security and its proportionate share of the common area maintenance costs and taxes; and

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

# Report:

# 1. Purpose

- 1.1 The purpose of this report is to obtain approval for the Lease Extension and Amendment Agreement with 2381502 Ontario Inc. for office space located at 200 John Street in the City of Oshawa to be used by the Social Services Department, as per the terms and conditions outlined herein.
- 1.2 Dollar amounts followed by an asterisk (\*) exclude applicable taxes.

# 2. Background

- 2.1 The Regional Municipality of Durham (Region) currently leases 20,055 square feet of space at 200 John Street in the City of Oshawa for the Social Services Department Employment Resource Centre. The Region has been leasing this space since 2014. The space includes 4,279 square feet on the main level and 15,776 square feet on the upper level in the shopping centre. The current rental rate is \$14.00\* per square foot.
- 2.2 The Social Services Department has advised that they wish to extend the lease arrangement for the 15,776 square feet of rentable area on the upper level only.

### 3. Previous Reports and Decisions

3.1 On March 27, 2019, Regional Council approved Report #2019-W-14 for the Lease Extension Agreement with 2381502 Ontario Inc. for this location for a period of five (5) years commencing May 1, 2019, and ending April 30, 2024, with an option to renew the lease for an additional five (5) year term under the same terms and conditions save and except the amount for rent to be negotiated at time of renewal.

#### 4. Terms of Renewal

4.1 The proposed Lease Extension and Amendment Agreement is for a term of two years commencing on May 1, 2024, and ending on April 30, 2026. The Region will have the option to extend the lease for an additional two years, under the same terms and conditions subject to the rental rate being negotiated at the time of renewal.

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4.2 The proposed annual rental rate for the lease term is \$236,640\*, payable in monthly installments of \$19,720\* based on a rate of \$15.00\* per square foot per annum.

- 4.3 The Region will be responsible for its proportionate share of the operating costs of the leased premises, estimated to be \$11.67\* per square foot for a total annual operating cost of \$184,105\*. This cost per square foot includes taxes and common area maintenance costs. Utilities are the Region's responsibility.
- 4.4 The Region will continue to be responsible for all janitorial costs related to the leased space.

# 5. Financial Implications

5.1 Financing of this lease renewal will continue to be provided within the annual Social Services Business Plans and Budget.

# 6. Relationship to Strategic Plan

- 6.1 This report aligns with the following strategic goals and priorities in the Durham Region Strategic Plan:
  - (a) Community Vitality
    - Goal 2.4: To support a high quality of life for all through human services delivery.
  - (b) Social Investment
    - Goal 4.2: Build awareness and community capacity to address poverty
    - Goal 4.4: Expand access to existing life stabilization programs
  - (c) Service Excellence
    - Goal 5.1: Optimize resources and partnerships to deliver exceptional quality services and value
    - Goal 5.2: Collaborate for a seamless service experience

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### 7. Conclusion

7.1 The Social Services Department has advised that they wish to continue to occupy a portion of the leased space at 200 John Street in the City of Oshawa. 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, contact Christine Dunkley, Director, Corporate Infrastructure and Strategic Business Services, 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 If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



# The Regional Municipality of Durham Report

To: Works Committee

From: Acting Commissioner of Works

Report: #2024-W-4

Date: February 7, 2024

# Subject:

Sole Source Procurement of Plow and Grader Blades and Maintenance Parts for Maintenance Operations and Fleet Services

#### Recommendations:

That the Works Committee recommends to Regional Council:

- A) That a sole source contract be awarded to Valley Blades Ltd. for the supply of plow and grader blades and maintenance parts for the Fleet Services Division and the five (5) Maintenance Operations Depots (Ajax/Pickering, Oshawa/Whitby, Orono, Sunderland, and Scugog Depots) for a one (1) year term, with the option to extend for an additional four (4), one (1) year terms, with an upset limit of \$400,000\* (\$80,000\* per annum), to be financed through the Winter Maintenance program Business Plans and Budget; and
- B) That the Commissioner of Finance be authorized to execute the necessary documents related to the contract.

### Report:

### 1. Purpose

- 1.1 The purpose of this report is to seek approval from the Regional Municipality of Durham (Region) Council to award a sole source contract for the supply of plow and grader blades and maintenance parts to Valley Blades Ltd.
- 1.2 Dollar amounts followed by an asterisk (\*) are before applicable taxes.

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# 2. Background

2.1 Plow and grader blades and maintenance parts are procured through a Durham Purchasing Co-operative (DPC) contract hosted by the Town of Ajax and includes the Region of Durham, the Town of Ajax, the Municipality of Clarington, the City of Oshawa, the City of Pickering, the Township of Scugog and the Town of Whitby. The DPC contract expired in October 2023, and the pricing and contract duration have been renegotiated. The contract includes proprietary products exclusive to Valley Blades Ltd. and non-proprietary products. The main portion of the plow and grader blades and maintenance parts are items proprietary to Valley Blades Inc.

### 3. Sole Source Justification

- 3.1 The Town of Ajax is the host agency that manages the contract for plow and grader blades and maintenance parts on behalf of the DPC. As the host Agency, the Town of Ajax has researched and recommended to all DPC participating agencies that due to the value of non-proprietary parts being significantly lower than the proprietary parts, which must be sourced through Valley Blades Inc., and to avoid managing purchases through multiple suppliers, it would be administratively efficient to sole source all parts to Valley Blades Inc. If the DPC contract for plow and grader blades and maintenance parts was awarded in sections to multiple vendors, it could result in a low spend value for each vendor which could lead to an elevated cost per item and also create inefficiencies in the administration of the DCP contract.
- 3.2 All DPC participating agencies agreed it is administratively efficient to consolidate and award all proprietary and non-proprietary items under this contract to Valley Blades Ltd. and ensure a uniform source of supply.
- 3.3 Valley Blades Ltd. has supplied proprietary and non-proprietary items to the DPC members for many years.

# 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. 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.

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4.2 The contract is for a one (1) year term, with the option to extend for an additional four (4) one (1) year terms.

4.3 Financing for the sole source maintenance service and parts supply agreements, estimated at a total contract value not to exceed \$400,000.00\* (\$80,000\* per annum), will be funded from the Works Department's annual Winter Maintenance Business Plans and Budget.

# 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.
  - 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 reduce equipment maintenance.

### 6. Conclusion

- 6.1 It is recommended that Regional Council approve the award of a sole source supply contract of plow and grader blades and maintenance parts for the Fleet Services Division and the 5 Maintenance Operations Depots (Ajax/Pickering, Oshawa/Whitby, Orono, Sunderland and Scugog Depots).
- This report has been reviewed by the Finance Department, and the Commissioner of Finance concurs with the recommendations.

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6.3 For additional information, contact: Matthew Fair, Acting Manager of Maintenance Operations and Fleet Services, at 905-668-7711, extension 3544.

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