

Report #6 of the Works Committee

For consideration by Regional Council

June 28, 2023

The Works Committee recommends approval of the following:

1. Approval of a Curbside Swap Day Pilot in Local Area Municipalities in the Regional Municipality of Durham [\(2023-WR-5\)](#)

 - 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 Report #2023-WR-5 of the Acting Commissioner of Works 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.
2. Request to Execute Sole Source Agreement with Product Care Association of Canada [\(2023-WR-6\)](#)

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.
3. 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 [\(2023-W-19\)](#)

 - 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>

4. 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 ([2023-W-20](#))

- 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.
(*) before applicable taxes
5. 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 [\(2023-W-21\)](#)
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- 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
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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	<u>\$75,000</u>
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Total Sanitary Sewerage Financing	<u>\$75,000</u>
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Total Project Financing	<u>\$150,000</u>
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(*) before applicable taxes

6. Approval of Unbudgeted Capital Work and Related Financing for Emergency Capital Work at the Oshawa Water Supply Plant (2023-W-22)

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.

7. 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 (2023-W-23)

- 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.

8. Sole Source Procurement of Engineering Services and Equipment for Various Water Supply and Sanitary Sewerage Projects and Approval of Additional Project Financing ([2023-W-24](#))

- 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

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)

\$300,000

Total Revised Project Financing

\$550,000

(*) before applicable taxes

9. 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 [\(2023-W-25\)](#)
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- 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 costs 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.
(* before applicable taxes
10. 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 (2023-W-26)
- 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; and
 - B) That the Regional Chair and Clerk be authorized to execute all documents associated with the Lease Extension and Amendment Agreement.
(* before applicable taxes

11. 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 ([2023-W-27](#))
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- 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	\$3,909,000
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Total Developer's Share	\$3,909,000
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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
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Commercial Development Charges	\$78,200
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User Rate	<u>\$367,000</u>
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Total Regional Share	<u>\$1,699,100</u>
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Total Project Financing	<u>\$5,608,100</u>
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12. 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 ([2023-W-28](#))
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- 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.
(*) before applicable taxes

13. 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)
[\(2023-W-29\)](#)
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- 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 watermains (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
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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
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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**
(*) before applicable taxes

14. 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 ([2023-W-30](#))

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.
- 15. 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 (2023-W-31)

 - 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.

(*) exclusive of applicable taxes

16. Approval to Award Sole Sourced Maintenance Service and/or Parts Supply Agreements for Process Control and Analytical Testing Equipment Within Water and Wastewater Facilities ([2023-W-32](#))

- 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*.

(*) excluding net HST

Respectfully submitted,

D. Barton, Chair, Works Committee