




**CITY OF HAMILTON**  
**PUBLIC WORKS DEPARTMENT**  
**Energy, Fleet and Facilities Management Division**

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	July 6, 2020
<b>SUBJECT/REPORT NO:</b>	Tim Hortons Field – End Guard Anchor Repair/Replacement (PW20039(a)) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Janet Warner (905) 546-2424 Ext. 2616 Rob Gatto (905) 546-2424 Ext. 5448
<b>SUBMITTED BY:</b>	Rom D'Angelo Director, Energy, Fleet and Facilities Management Public Works Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

- (a) That staff be directed to repair and/or replace the perimeter end guards that surround the upper bowl of the east and west stands, along with the north and south upper-lower end guards of Tim Hortons Field at an upset limit of \$1.1 million;
- (b) That Facilities Management use existing Capital Budget WIPs through appropriation to fund this work by reprioritizing existing projects for the current year, itemized in Appendix “A” to Report PW20039(a).

**EXECUTIVE SUMMARY**

The purpose of this Report is to seek Council's direction to proceed with the replacement of the perimeter end guards that surround the upper bowl of the east and the west stands, along with the north and south upper-lower end guards of Tim Hortons Field (the “Stadium”) and Council's approval to the use capital WIP funding for the said work.

City staff retained the services of an Engineering firm as part of the overhead review resulting from the fall of the speaker in 2016, at which time, immediate, targeted repairs were undertaken at specific locations within the stadium upon the completion of their

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review in 2017. It was during this review that the City committed to ongoing, regular inspections of the stadium, and in particular, the end and back guards. These reviews resulted in additional, isolated repairs in 2019, however, additional, compromised areas were identified through continued assessments of the Stadium guard rails in September, November, and December of 2019, and February 2020. The most recent reports resulted in additional safety concerns being highlighted due to both installations, deterioration and weather, and are considered latent defects.

Based on the Engineering Firms comprehensive assessment it was clearly outlined, or identified that -- as opposed to continuing a localized approach to mitigate the risk based on the practical difficulties with the ongoing monitoring of the conditions, City staff in collaboration with the consulting firm consider strategies to manage risks more generally and proactively with consideration of the longer-term maintenance needs and costs to the owner.

City staff have been working with a team of consulting experts and have undertaken multiple design tests for targeted repairs such as replacements with mock-ups which have determined that the holistic repair and replacement of the guard installations throughout the Stadium would not only be less disruptive but can be implemented in a wider range of conditions and be less costly.

#### **Alternatives for Consideration – N/A**

#### **FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: Facilities Management will use existing Capital Budget WIPs through appropriation to fund this work by reprioritizing existing projects for the current year. Several Capital Budget Projects have already been identified. The list includes but is not limited to:

3541641638	Overhead Door Replacement Program
3541641532	Facility Capital Maintenance
3541741648	Parking Lot Rehabilitation
3541755001	Yard Capital Renewal Program
3541757001	Archibus - Facility Maintenance
3541941648	Parking Lot Rehabilitation
3541941532	Facility Capital Maintenance
3721841805	Hamilton Convention Centre, FirstOntario Concert Hall & FirstOntario Centre Lifecycle Renewal
3721941805	Hamilton Convention Centre, FirstOntario Concert Hall & FirstOntario Centre Lifecycle Renewal
7101454710	Sir Wilfred Laurier Recreation Centre Independence

Exact amounts appropriated from each will be based on available funds at time of appropriation.

Staffing: There are no staffing implications.

Legal: There are no legal implications with respect to the proposed construction work or the proposed funding source outside of the ordinary course of business (e.g. tort liability for accidents at Tim Hortons Field).

## **HISTORICAL BACKGROUND**

As part of a successful bid process to host occur for the 2015 Pan/Parapan American Games, it was decided in June 2011, that the renovations proposed to the North Stands of Ivor Wynn was not possible. Senior Representatives for the City, Toronto 2015, Federal and Provincial Governments agreed at this time to build a new Stadium. It was at this point the Stadium design changed to a north/south orientation.

One of the main reasons for Hamilton's bidding on the Pan Am Games was the opportunity to renew its aging stadium. The Stadium is a state-of-the-art facility that can host international, provincial and community uses from sport to entertainment. The new Stadium will attract events; provide long-term tangible opportunities and economic impacts from users and spectators.

In February 2014, Council approved the 20 Year License Agreement with the Hamilton Tiger-Cats Football Club for use of the Stadium for Football Games and Practices.

In May 8<sup>th</sup>, 2015, the Stadium officially received substantial completion and the City of Hamilton formally took possession of the site.

The Stadium was scheduled to be completed on June 30<sup>th</sup>, 2014 however, in 2016 the City of Hamilton launched a litigation with the contractor, the Province of Ontario (Infrastructure Ontario - IO), and the Hamilton Tiger Cats. The litigation was due to the delay of the project and the numerous deficiencies throughout the Stadium.

In May 2018, a settlement agreement was reached with all parties. City staff worked in good faith to achieve this resolution with no additional cost for the Stadium passed on to Hamilton taxpayers.

City staff have continued to work on deficiencies such as, and not limited to, ongoing leak remediation throughout the Stadium, burst pipes due to lack of heat tracing installation, faulting main transformer, lighting controls, incomplete audio-visual system, video scoreboard steel modifications, floor drains on the concourses, pre-cast joint

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renewal, metal cladding, missing hatches for units that require maintenance, guard rail extensions, and adjustments to various mechanical systems.

In June 2016, a 150-pound speaker had fallen 200 feet from the east side of the Stadium's light standard. As a result of this, City staff took immediate action and undertook an extensive review/audit of all suspended and installed elements related to the health and safety throughout the Stadium. The review noted that the areas of end guard installation were noted as suspect and in need of repair and re-installation. Due to the amount of ongoing deterioration throughout the Stadium, reviews were conducted on a yearly basis, with the initial, temporary repairs completed in 2017 and now considered latent defects.

Upon ongoing inspections and assessments, additional areas were found to be deteriorating and thus, became critical, resulting in additional repairs in 2019.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

Not applicable.

**RELEVANT CONSULTATION**

Ongoing consultation with internal staff and experts/engineers to determine both cause, and correction of the end guard installation.

Additional consultation with the following Corporate Services:

- Budgets and Financial Planning
- Legal Services
- Procurement

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

It is imperative that the end guards be replaced to mitigate risk for the public's overall safety in the noted areas of the Stadium. The outlined within this Report are both systemic and progressive and are continuing to deteriorate. Staff cannot predict the rate of the declining performance of the end guards as the conditions are getting heightened. The guards are interconnected and have no redundancy in the system, which adds to the overall risk.

**ALTERNATIVES FOR CONSIDERATION**

N/A

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

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**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report PW20039(a) - Appropriations