



**CITY OF HAMILTON**  
**PUBLIC WORKS DEPARTMENT**  
**Engineering Services Division**

<b>TO:</b>	Chair and Members Audit, Finance and Administration Committee
<b>COMMITTEE DATE:</b>	December 9, 2021
<b>SUBJECT/REPORT NO:</b>	Investing in CityRoads and Sidewalks Infrastructure with Canada Community - Building Funds (PW21073) (City Wide) <b>(Outstanding Business List Item)</b>
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Erika Waite (905) 546-2424 Ext. 6397 Greg Wuisman (905) 546-2424 Ext. 2431
<b>SUBMITTED BY:</b>	Edward Soldo Chief Road Official Public Works Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

- (a) That the Canada Community Building Fund investment of \$30 M be allocated to the list of projects in Appendix "A" to Report PW21073;
- (b) That three Public Works temporary full time equivalents be hired for up to 24 months at an estimated cost of \$850,000 and funded from Unallocated Capital Levy Reserve 108020 to deliver the Canada Community-Building Fund projects;
- (c) That the Procurement Policy 4.9 Consulting and Professional Services requirements be waived to allow for the direct award of Roster Assignments above the \$150,000 threshold for consultancy work pertaining to the Canada Community-Building Fund projects;
- (d) That the matter respecting Investing in CityRoads and Sidewalks Infrastructure with Canada Community-Building Funds be identified as complete and removed from the Audit, Finance and Administration Committee Outstanding Business List.

## **EXECUTIVE SUMMARY**

At the July 5, 2021 General Issues Committee, Council provided staff with direction through resolution of the motion titled “Investing in City Roads and Sidewalks Infrastructure with Canada Community-Building Funds (CCBF) to deliver roads and sidewalk infrastructure projects utilizing \$30 M of the \$32.7 M one-time additional funding transfer, allocated equally amongst each of the 15 City of Hamilton’s (City) wards (\$ 2M per ward), and expedite the use of funds with a procurement process to limit exposure to rising (inflationary) prices.

Pursuant to Council’s direction, Public Works staff have developed a plan to expedite the delivery of road and sidewalk infrastructure projects. A multiphase delivery approach has commenced to ensure inclusive communication and consultation, and to ensure funding is applied to projects that are most suitable for expedited improvements in order to achieve maximum return on investment while ensuring alignment with Council approved plans and policies (Complete Streets, Cycling Master Plan and Vision Zero).

Consultation with Councillors was undertaken to discuss preliminary recommendations for candidate projects, improvement scope options, timing and cost estimates. Based on the consultation, a capital project list (Appendix “A” to Report PW21073) has been developed and is presented for Council approval.

Upon approval of the project list, any changes to scope, schedule and cost that are identified in the design and implementation phase will be communicated to Councillors. In the event of significant changes to a selected project, through consultation with Councillors, and alternate project(s) will be selected for Council approval as expeditiously as possible.

The proposed implementation of the capital project list will be expediated through the use of consultant resources facilitated through the City’s Professional and Consultant Services Roster C12-06-18 and C12-13-21 and through the approval of three Public Works temporary full-time equivalents for a 24-month timeframe to manage the external resources and contract administration.

The implementation plan will utilise groupings of similar type projects, geographic proximity, and timing of contract tendering to obtain preferred pricing using the existing procurement process.

## **Alternatives for Consideration – Not Applicable**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** Based on the July 5, 2021 General Issues Committee motion to invest \$30 M in City Roads and Sidewalks infrastructure with the Canada Community-Building Funds, the one-time funding will be allocated equally amongst each of the 15 City wards (\$2 M per ward). The investment in infrastructure is expected to have a positive benefit to the lifecycle activities of these assets.

The cost of employing three temporary full time equivalent Project Managers over a 24-month period to support the delivery of the program is estimated at an upper limit of \$850,000 inclusive of benefits and cost of living increases.

Staffing costs are not eligible to be funded by the CCBF. The temporary positions will be funded by the Unallocated Capital Levy Reserve #108020.

**Staffing:** Additional staffing will consist of three temporary full time equivalents CUPE Local 1041 Senior Project Manager positions specifically two Engineering Design Project Managers and one Construction Project Manager to support the creation and delivery of the projects.

The Construction Project Manager will provide construction administration and contract management through the direction of in-house staff and consultants to ensure that projects are constructed and delivered in accordance with City, Provincial and Federal regulations or guidelines.

The two Engineering Design Project Managers will provide design services from preliminary engineering to final detailed design and tendering as well as project management services including the management of consultants, recommending and implementing standards for work performed by consultants on Design projects.

**Legal:** N/A

**HISTORICAL BACKGROUND**

Council resolved, at the General Issues Committee Meeting on July 5, 2021, through the motion titled “Investing in City Roads and Sidewalks Infrastructure with Canada Community-Building Funds”, in accordance with The Canada Community-Building Fund as an Act, for which the City of Hamilton was allocated and additional \$32.7 M, to;

- (a) That \$30 M of the estimated \$32.7 M of the one-time funding under Bill C-25, be invested in sidewalk and road repairs (minor maintenance);

- (b) That the funds be allocated equally amongst 15 wards (\$2 M per ward); and,
- (c) That staff report back to the Audit, Finance and Administration Committee with a procurement process that expedites the use of the funds to limit exposure to rising (inflationary) prices.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

Works will comply with existing policy and legislated requirements as per the Federal Gas Tax Agreement, Section 3.3 Contracts: The Recipient will award and manage all Contracts in accordance with its relevant policies and procedures and, if applicable, in accordance with the Agreement on Internal Trade and applicable international trade agreements, and all other applicable laws.

The Recipient will ensure any of its Contracts for the supply of services or materials to implement its responsibilities under this Agreement will be awarded in a way that is transparent, competitive, consistent with value for money principles and pursuant to its adopted procurement policy.

By-Law 20-205 City Procurement Policy; in particular Policy #4.9 - Consulting and Professional Services and Policy 4.5.3 Request for Tenders.

## **RELEVANT CONSULTATION**

The following groups have been consulted:

Council members  
Corporate Services, Financial Planning, Administration & Policy, and Procurement  
Engineering Services  
Environmental Services  
Transportation Operations & Maintenance  
Planning & Economic Development

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Pursuant to Council's direction through resolution of the motion titled "Investing in City Roads and Sidewalks Infrastructure with Canada Community-Building Funds" at the July 5, 2021 General Issues Committee, the following processes were developed to address project expediency.

## Project Review and Coordination

Consultation with Councillors was undertaken to discuss preliminary recommendations for candidate projects, improvement scope options, timing and cost estimates.

A review of coordination requirements of other impacted infrastructure within the limits of each project candidate was undertaken, including alignment with Council approved plans and policies (Complete Streets, Cycling Master Plan and Vision Zero).

To ensure that candidate projects are correctly scoped for above and below ground needs staff have performed a cursory review of subsurface infrastructure for each project candidate utilizing available existing information. The risk of subsurface infrastructure lifecycle failure remains; however, staff have utilized best available information and subject matter opinion to minimise risks as much as possible.

Necessary repair, rehabilitation and/or replacement activities of impacted subsurface infrastructure may require schedule, scope and cost adjustments, or may take place prior to project delivery. Considerations for such activities where the information is known at this time have been included within the project programming for this initiative.

A review of planned works related to development, 3<sup>rd</sup> party utility and planned capital have also taken place. A review of coordination requirements of other impacted infrastructure within the limits of each project candidate was undertaken, including optimization of coordination opportunities within Public Works Divisions and Planning & Economic Development.

In the event of a conflict that may result in the phasing / scheduling of works to be completed over multiple years staff will confirm with individual councillors as information becomes available.

Based on the project review and coordination with Councillors, recommendations for candidate projects, improvement scope options, timing and cost estimates were developed and are identified on the capital project list (Appendix “A” to Report PW21073).

## Project Delivery

Projects will be delivered either through the capital cycle by Engineering Services or Transportation Operations and Maintenance divisions.

Projects with limited to no additional engineering design works may be brought forward quickly making it possible to successfully complete works within 2022. Upon approval of the project list, best efforts will be made to tender the projects with limited design

requirements by the second quarter of 2022 for 2022 construction.

Projects identified as requiring enhancements or more substantive engineering design efforts will continue to be addressed as expeditiously as possible through existing resources, in consideration of the regular approved capital projects and will be tendered at the earliest possible time.

This program will add an additional number of projects that will exceed the typical annual deliverable in the capital cycle. Staff are proposing to acquire additional consultancy support for technical, design and contract administration services via the City's Professional and Consultant Services Rosters, contract C12-06-18 (contract expires on December 31, 2021 and contract C12-13-21 commences January 1, 2022).

Should Council approve the recommendation to waive the requirements in Procurement Policy 4.9 and allow the direct award of Roster Assignments above the \$150,000 threshold, staff will continue to follow the guidelines in the administration of any roster assignments and will ensure that work is distributed as fairly as possible within a particular category. Utilizing vendors on the City's Roster also eliminates any further procurement process and allows staff the ability to immediately engage consulting firms to expedite the technical and design work necessary to complete the work within the tight completion timeline.

In addition, approval of three temporary staff for 24 months is required to facilitate the design, tendering and construction of the projects and project management of consultants. This will help mitigate the delivery pressures of the program and the funding agreement allows for this support.

All contracts with vendors for the completion of the roads and sidewalk infrastructure projects under the Canada Community-Building Funds program shall be competitively procured in accordance with the City's Procurement Policy.

#### **Cost Effectiveness**

The proposed capital project list (Appendix "A" to Report PW21073) will be organized into optimized contract groupings in order to create competitive contract packages for the construction industry. Compilation of competitive contract packaging and strategic timing of the procurement process may further contribute to achieving the desired cost savings.

#### **ALTERNATIVES FOR CONSIDERATION – Not applicable**

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

**Healthy and Safe Communities**

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

**Built Environment and Infrastructure**

Hamilton is supported by state-of-the-art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report PW21073 - Capital Project List