



**CITY OF HAMILTON**  
**PUBLIC WORKS DEPARTMENT**  
**Transportation Operations and Maintenance Division**

<b>TO:</b>	Chair and Members Public Works Committee
<b>COMMITTEE DATE:</b>	November 15, 2021
<b>SUBJECT/REPORT NO:</b>	Sidewalk Snow Clearing (PW19022(d)) (City Wide) <b>(Outstanding Business List Item)</b>
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Bob Paul (905) 546-2424 Ext. 7641 Peter Sniuolis (905) 546-2424 Ext. 7646 Stephen Gagne (905) 546-2424 Ext. 4296
<b>SUBMITTED BY:</b>	Mike Field Acting Director, Transportation Operations & Maintenance Public Works Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

- (a) That sidewalk snow clearing, in compliance with the previously approved enhanced level of service defined as Scenario 2A in Report PW19022(c), be approved for implementation beginning in the 2022 winter season and that;
- (i) Forest Ridge Landscaping Inc. be selected as the successful proponent of Request for Tender Contract C11-53-21, Winter Sidewalk and Transit Stop Maintenance Operations;
  - (ii) That sidewalk snow clearing be conducted using the planned routes, attached as Appendix "A" to Report PW10922(d) and that Transportation Operations & Maintenance report back to Public Works Committee on an annual basis prior to the commencement of winter operations with updates to the routes considering transit system revisions, growth and changes in property ownership inclusive of the Hamilton-Wentworth District School Board and the Hamilton-Wentworth Catholic District School Board properties;

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OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

- (iii) The General Manager of Public Works be authorized and directed to finalize the terms and conditions of the Contract with Forest Ridge Landscaping Inc., in accordance with the provisions of Request for Proposals Contract C11-53-21; and,
  - (iv) That the Mayor and City Clerk be authorized and directed to execute the Contract with Forest Ridge Landscaping Inc. and any ancillary documents for Contract C11-53-21 with content acceptable to the General Manager of Public Works and in a form acceptable to the City Solicitor;
- (b) That the Outstanding Business List Item respecting Sidewalk Snow Clearing, be identified as completed and removed from the Public Works Outstanding Business List

### **EXECUTIVE SUMMARY**

The City of Hamilton (City) currently clears snow from 397 km of the approximately 2,445 km of sidewalks across Hamilton including sidewalks on municipally owned property, along reverse frontage lots, formerly Ward 12 in its entirety, and sidewalks adjacent to school property owned by either the Hamilton-Wentworth District School Board (HWDSB) or the Hamilton-Wentworth Catholic District School Board (HWDCSB), in conjunction with the Snow and Ice By-law No. 03-296.

In April of 2021, Council approved a level of service (LOS) enhancement for sidewalk snow clearing which involved maintaining sidewalks which are located along all Priority 1 roadways and Priority 2A roadways where transit operates, including an increase of \$2.34 million to the Sidewalk Snow Clearing Operating budget. For these sidewalks, snow clearing is activated when accumulation is 5 cm or greater and cleared to a snow packed end condition with de-icing material application when required.

The current operating budget for sidewalk snow clearing is \$2.1 million, which funds current clearing activities for the enhanced LOS, an additional \$2.34 million is required for a total of \$4.44 million which will allow the additional quantity of sidewalks and transit stops.

Transportation Operations & Maintenance undertook a review which identified that the LOS enhancement adds approximately 469 km of sidewalks bringing the total amount where snow clearing activities will be conducted to 866 kms. Request for Tender Contract C11-53-21 – Winter Sidewalk and Transit Stop Maintenance Operations, was developed to implement the LOS enhancement and also include sidewalks currently being cleared (municipally owned property, along reverse frontage lots, formerly Ward 12 in its entirety, and sidewalks adjacent to school property owned by either the HWDSB and the HWDCSB) and transit stops. The lowest compliant bid was submitted by Forest Ridge Landscaping Inc. at a cost of \$3.16 million. The difference of \$1.28 between the bid result and current operating budget will be utilized to cover salt/sand

material costs, costs incurred for restoration to damaged property and variability in weather.

The enhanced LOS for sidewalk snow clearing is programmed to begin in the winter of 2022, pending the approval of the recommendations contained within Report PW19022(d).

**Alternatives for Consideration – Not Applicable**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: On April 28, 2021, Council approved an enhancement to the LOS for winter sidewalk snow clearing (Service level Scenario 2A) including increasing the 2022 Transportation Operations & Maintenance Operating Budget from \$2.1 million to \$4.44 million; an increase of \$2.34 million to Dept ID 427110 - Sidewalk Snow Clearing.

Request for Tender Contract C11-53-21, Winter Sidewalk and Transit Stop Maintenance Operations closed with a low bid, submitted by Forest Ridge Landscaping Inc., of \$3,158,880. The Contract includes the delivery of the enhanced LOS, sidewalks currently being cleared, and transit stops. The differential between the bid result (\$3.16 million) and the budget (\$4.44 million) is \$1,281,120. This will be utilized to cover salt/sand material costs, costs incurred for restoration to damaged property (such as fences, posts, hedges, plantings, in ground lawn sprinklers and driveway curbs), variability in weather and general contingency. Program costs, performance of the contractor and contractual efficiencies will be tracked for the 2022/2023 season to determine if any adjustments are necessary.

The approved LOS will be implemented in the winter of 2022 and therefore an incremental increase of \$936,000 is required for funding purposes and an additional \$1.404 million in 2023. This equates to a total increase of \$2.34 million going forward to support the permanent LOS enhancement for sidewalk snow clearing.

The tax impact of the LOS increase is approximately \$4 or 0.1% for the initial \$936,000 in 2022 and \$6 or 0.1% for the remaining \$1,404,000 for 2023, based on the average residential assessment of \$381,000.

Corporate Services have analysed the tax impacts under two scenarios: including the additional cost in the general levy and area rating the additional amount to the urban areas of the City, as shown in the table below:

**TAX IMPACT FOR THE 2022 - 2023 PERIOD**

	2022		2023	
	URBAN	RURAL	URBAN	RURAL
General Levy	\$4 - 0.1%	\$4 - 0.1%	\$6 - 0.1%	\$6 - 0.1%
Urban Only	\$4 - 0.1%	n/a	\$7 - 0.1%	n/a

For the urban areas there is a minimal difference between what residents/property owners would pay under each scenario as the portion allocated to the rural areas is not significant. Under the urban only scenario, rural areas of the City would not pay for the service. Both scenarios include the levy that is currently area rated to Ancaster, which means that Ancaster would pay the same rate as the rest of the City while continue to receive the existing level of service.

Appendix “B” to Report PW19022(d) shows the tax impacts by Ward of including all the sidewalk winter snow clearing in the general levy. Under the legislation framework of differential services (area rating) this increase in service does not warrant an urban/rural taxation model as the delivery model has been developed under an Equity, Diversity and Inclusion lens and not based on where the service is provided. Therefore, it is not recommended that this service be area rated.

**Staffing:** Information Report PW19022(b) referenced that additional internal resources (supervisory staff) may be required to oversee the enhanced program and identified in a future budget. Additional internal resources are not needed at this time to implement the enhanced LOS in 2022/2023 and should they be identified through annual program reviews undertaken as a standard practice within Public Works, they would be brought forward at that time.

**Legal:** There are no legal implications related to the recommendation in this Report.

**HISTORICAL BACKGROUND**

At the January 21, 2019 General Issues Committee, Public Works (Transportation Operations & Maintenance) were directed to provide a consolidated summary and financial update regarding previous reports about winter sidewalk maintenance in the City.

Subsequently, at the February 28, 2019 General Issues Committee, Information Report PW19022 - Winter Sidewalk Maintenance was provided which outlined the requested information and cost estimates based on 2018 expenditures.

At the March 27, 2019 Council Meeting, Public Works (Transportation Operations & Maintenance) were directed to prepare a report that integrated an Equity, Diversity and Inclusion (EDI) framework into the development of a new service standard related to snow removal from sidewalks.

At the February 13, 2020 General Issues Committee meeting, focused on the 2020 Operating Budget, Report PW19022(a) - Sidewalk Snow Removal was provided that outlined a number of LOS enhancement scenarios for consideration. Council referred the matter back to Transportation Operations & Maintenance and requested additional information and public consultation to be undertaken.

In August and September of 2020, Transportation Operations & Maintenance, with support from Corporate Communications, and in partnership with Community Initiatives conducted public engagement to aid in better understanding the needs of residents, stakeholders and advisory groups related to sidewalk snow clearing. Further, other municipalities in Canada were contacted about their levels of service and practices.

On November 19, 2020, Report PW19022(b) was presented to the General Issues Committee. Public Works (Transportation Operations & Maintenance) were directed to summarize findings regarding additional information relating to the Snow and Ice By-Law No. 03-296, challenges associated with universal sidewalk snow removal, engagement with various advisory groups, and consultation with other municipalities about their levels of service and practices. The matter was referred to the 2021 Operating Budget deliberations for consideration.

At the February 19, 2021 General Issues Committee, focused on the 2021 Operating Budget, the matter respecting the Sidewalk Snow Clearing Program Options was referred to the Public Works Committee.

On April 19, 2021, Information Update PW19022(c) – Sidewalk Snow Clearing Update was received by Public Works Committee which provided updated 2021 costs, identified timelines and process for potential implementation, summarized data and public consultation and identified potential LOS enhancements for Council consideration.

On April 28, 2021 Council directed, via a motion, that the current sidewalk snow clearing LOS be enhanced as follows:

- (a) That the level of service for winter sidewalk snow removal be enhanced as defined as Scenario 2A – Priority 1 and 2A Roadways – Maintaining sidewalks in the existing level of service plus the addition of an estimated 783

km of sidewalk along transit routes, at an estimated cost of \$4.44 million, to be approved from the 2022 Public Works Operating Budget, as follows:

- (i) Service Level 2A activates when snow accumulation is 5 cm or greater  
Snow packed condition with de-icing material application
  
- (b) That staff prepare to report back with an implementation plan to proceed with Service Level Scenario 2A as outlined in this report.

Request for Tender for Contract C11-53-21 – Winter Sidewalk and Transit Stop Maintenance Operations was issued on August 13, 2021 and closed for bidding on September 7, 2021.

### **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The City maintains municipal roadways as per the Council approved Policy PW-TOM-Y-026 – Maintenance Standards for Municipal Highways (PW18096(a)) which complies with Ontario Regulation 239/02 - Minimum Maintenance Standards for Municipal Highways. The associated 'Guideline for Levels of Service for Highways', specifically snow accumulation on sidewalks, is required to be revised to include the addition of the approved enhanced LOS as described in Report PW19022(d) for sidewalk snow clearing inclusive of the sidewalk snow clearing routes, attached as Appendix "A" to Report PW10922(d).

The Snow and Ice By-law No. 03-296 requires that every occupant or owner shall, within 24 hours of the cessation of a winter storm event, or within 24 hours of the cessation of a series of consecutive winter storm events, remove and clear all snow and ice from sidewalks abutting the highways in front of or alongside, or at the rear of any occupied or unoccupied lot or vacant lot. The City will activate snow clearing equipment if accumulation of snow is 5 cm or greater, or, whenever required to achieve bare pavement. Occupants or owners will still be required to follow By-Law No. 03-296.

### **RELEVANT CONSULTATION**

The following City of Hamilton Departments/Divisions have been consulted in the development of this report:

- Chief Road Official
- Transit Planning & Infrastructure
- Corporate Services, Finance

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

The City of Hamilton currently clears 397 km of the approximate 2,445 km of sidewalks across Hamilton including sidewalks on municipally owned property, along reverse frontage lots, formerly Ward 12 in its entirety, and sidewalks adjacent to school property owned by either the Public or Private School Board, in conjunction with the Snow and Ice By-law No. 03-296 on a charge-back basis. The LOS for above noted areas will remain unchanged, however these locations will now share the same activation trigger of 5 cm accumulation.

The enhanced LOS for sidewalk snow clearing referred to as 'Scenario 2A' as approved by Council and detailed in Report PW19022(c) expands upon current practices by means of maintaining sidewalks which are located along all Priority 1 roadways (major arterial roads and escarpment accesses) and Priority 2A roadways (primary collector roads) where transit operates. Transit stops are included in the snow clearing activities. Snow clearing is activated when accumulation is 5 cm or greater and cleared to a snow packed end condition with de-icing material application when required.

Transportation Operations & Maintenance undertook a comprehensive review of existing routes and routes which are included as part of the LOS enhancement. The review examined the location of transit stops and identified primary pedestrian connectors to the transit stop along transit routes. The sidewalk snow clearing routes are detailed in Appendix "A" to Report PW19022(d). A total of 469 km of sidewalks will be added to 397 km of sidewalks currently being cleared, bringing the total amount of sidewalks where snow clearing activities will be conducted to 866 kms. The LOS where sidewalk snow clearing is currently being conducted (municipally owned property, along reverse frontage lots, formerly Ward 12 in its entirety, and sidewalks adjacent to school property owned by either the HWDSB or the HWCDSB School Board) will remain unchanged as bare concrete end condition with application of salt, however these locations will now share the same activation trigger of 5 cm accumulation.

The sidewalk snow clearing routes and operating budgets will be adjusted annually as new sidewalks/transit stops are introduced and/or altered through roadway reconstruction, growth expansion or by other means – in alignment with the approved LOS.

Request for Tender Contract C11-53-21 was developed to provide the enhanced LOS as it was previously identified, through Information Report PW19022(c) that internal resources levels do not have the needed capacity and contractual services would therefore be required to deliver the enhanced LOS. The enhanced LOS and routes detailed above formed part of the specifications for the contract. Contract C11-53-21 also encapsulates sidewalks currently being cleared (municipally owned property, along reverse frontage lots, formerly Ward 12 in its entirety, and sidewalks adjacent to school property owned by either the HWDSB or the HWCDSB School Board). The contract

therefore comprehensively deals with all sidewalks where snow removal activities take place. The term of the contract is 5 years with the addition of two single optional year extensions.

As defined by Contract C11-53-21, the Contractor's responsibilities generally are:

- Conducting winter sidewalk and transit stop maintenance operations on the district routes (following route maps detailed in Appendix "A" to Report PW19022(c)) as directed by the City during the operating seasons on designated routes/areas within the City's North, South, East, and West Districts;
- Providing the specified level of winter sidewalk and transit stop maintenance operations to all the routes; including plowing, hand clearing, sanding and salting;
- Performing winter sidewalk and transit stop maintenance operations promptly, efficiently, safely and in a manner satisfactory to the City and in accordance with all applicable laws;
- Supply of specified equipment and Operators/Workers to complete winter sidewalk and transit stop maintenance on a twenty-four-hour basis, seven days a week, including statutory holidays during the full period of the Contract for the Operating Season from November 1 to April 15 of each year; and
- Permitted to store equipment at Public Works district yards to enable quick and efficient deployment when directed to activate.

Transportation Operations & Maintenance shall supply and monitor all salt, sand or other alternative consumable winter maintenance materials that is needed in the performance of the contractor's work. The City is responsible for activating the contractor when it is forecasted that a minimum of 5 cm of snow accumulation will occur/is occurring. The contractor is obligated to deploy resources within 1 hour of receiving direction to activate. Further, they must complete the LOS within 24 hours of the cessation of a winter storm event, or within 24 hours of the cessation of a series of consecutive winter storm events.

The issuance of Request for Tender Contract C11-53-21 resulted in a total of 9 bid takers and 5 bids of which one was disqualified. Forest Ridge Landscaping Inc. submitted the lowest compliant bid. The contract was constructed so that proponent bidders could bid on one or all districts and Forest Ridge Landscaping Inc. was the lowest bidder for all districts.

There are anticipated cost benefits in having a singular contractor carry out all winter sidewalk and transit stop operations. Existing contracts that have been used to conduct sidewalk snow clearing activities will be re-evaluated and internal resources will be re-prioritized in recognition of the single contractor model.

Public Works and Corporate Communications have a robust communications protocol during winter storm events, with regular updates to Council, posts on [www.hamilton.ca](http://www.hamilton.ca)



and at @cityofhamilton on Twitter. During large storm events updates are shared with our local media partners, radio, print, online ads are published to provide residents with information about the City's response to the storm, tips on clearing their snow from their property, and more. Further, Where's My Plow? will be expanded to include snow clearing equipment used to deliver the enhanced LOS for sidewalk snow clearing.

For the 2021/2022 winter season, the existing winter storm communication activities will continue to focus on owner and occupant responsibilities regarding removing snow from sidewalks adjacent to their property, and to request they avoid parking on the road during snow events to allow space for plows to safely clear the snow.

In advance of the 2022/2023 winter season when the enhanced LOS will be first implemented, communication will further emphasize owners and occupants of the change in levels of service. They will also continue to inform of the responsibilities under the Snow and Ice By-law No. 03-296.

## **ALTERNATIVES FOR CONSIDERATION**

N/A

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

### **Community Engagement and Participation**

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community

### **Economic Prosperity and Growth**

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

### **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 PW19022(d) – Sidewalk Snow Clearing Route Maps

Appendix "B" to Report PW19022(d) – Sidewalk Snow Removal Tax Impact of Service Increase – By Ward 2022-2023