



**CITY OF VAUGHAN  
COUNCIL MEETING**

**AGENDA**

**TUESDAY, DECEMBER 18, 2001**

**1:00 P.M.**

- 
1. **PRESENTATIONS**  
Retirement Presentation – Usuf Vhora and Frank Grossi
  2. **CONFIRMATION OF AGENDA**
  3. **DISCLOSURE OF INTEREST**
  4. **ADOPTION OF MINUTES**  
Minutes of the meeting of November 26, 2001.
  5. **DEPUTATIONS REQUIRING STATUTORY PUBLIC HEARING**
    1. **TAX ADJUSTMENTS PURSUANT TO SECTIONS 442 AND 443 OF THE MUNICIPAL ACT, R.S.O. 1990, AS AMENDED**  
Refer to the attached report of the City Clerk dated December 18, 2001.
  6. **DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION**  
Referred Item  
Committee of the Whole (Working Session) Report No. 76  
Committee of the Whole Report No. 77  
Committee of the Whole (Closed Session) Report No. 78  
Committee of the Whole (Public Hearing) Report No. 79  
Operational Review Committee Report No. 4
  7. **ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION**
  8. **CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**
  9. **BY-LAWS / FORMAL RESOLUTIONS**
  10. **CONFIRMING BY-LAW**
  11. **MOTION TO ADJOURN**

**MEETING INFORMATION HOTLINE:  
(905) 832-8600**

**ALL APPENDICES ARE AVAILABLE FROM THE CITY CLERK'S DEPARTMENT  
PLEASE NOTE THAT THIS MEETING WILL BE AUDIO RECORDED**

[http://www.city.vaughan.on.ca/html/cityhall/minutes\\_agenda/main.htm](http://www.city.vaughan.on.ca/html/cityhall/minutes_agenda/main.htm)

## REFERRED ITEM

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1. **AWARD OF TENDER TO1-155, BOWES ROAD RECONSTRUCTION, KEELE STREET TO REGIONAL ROAD NO. 7**

*Report of the Commissioner of City Engineering and Public Works referred from the Council meeting of November 26, 2001.*

**COMMITTEE OF THE WHOLE  
(WORKING SESSION)  
REPORT NO. 76**

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## ***BY-LAWS / FORMAL RESOLUTIONS***

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BY-LAW NUMBER 493-2001  
(Delegation By-law 333-98)

A By-law to dedicate certain lands as part of the public highway known as Fossil Hill Road.

BY-LAW NUMBER 494-2001  
(Council, October 10, 2000, Minute No. 293)  
(Council, July 10, 2000, Item 2, Committee of the Whole, (Public Hearing) Report No. 61)

A By-law to stop-up, close and convey part of Sylvan Brook Avenue.

BY-LAW NUMBER 495-2001  
(Council, November 26, 2001, Item 1, Committee of the Whole (Closed Session) Report No. 74)

A By-law to amend By-law Number 390-2001 being a By-law to appoint members to the Community Relations Committee. (Louise Kennedy, deleting Elizabeth Meszin and Marco Monaco)

BY-LAW NUMBER 496-2001  
(Council, October 29, 2001, Item 26, Committee of the Whole, Report No. 66)

A By-Law to amend City of Vaughan By-law 1-88. (Z.01.045 – 3477964 Ontario Ltd., northeast corner of Regional Road #7 and Wigwoss Drive)

BY-LAW NUMBER 497-2001  
(Council, November 26, 2001 Item 6, Committee of the Whole, Report No. 73)

A By-law to provide for interest to be added to tax arrears.

BY-LAW NUMBER 498-2001  
(Council, November 26, 2001, Item 6, Committee of the Whole, Report No. 73)

A By-law to establish a penalty charge for non-payment of current taxes.

BY-LAW NUMBER 499-2001  
(Item 17, Committee of the Whole, Report No. 77)

A By-law to amend By-law 285-91 as amended, a by-law to appoint Chief Building Official, Deputy Chief Building Official and Inspectors for the enforcement of the Building Code Act as amended by the City of Vaughan.

BY-LAW NUMBER 500-2001  
(OMB Order No. 1778)

A By-law to designate by Number an amendment to City of Vaughan By-law Number 1-88, as effected by the Ontario Municipal Board. (Guscon Transportation Limited – OMB File Z010089 - Z.97.040)

BY-LAW NUMBER 501-2001  
(Delegation By-law 333-98)

A By-law to exempt part of Plan 65M-3521 from the provisions of Part Lot Control. (PLC.01.056 – Sugarbush Developments Limited - north side of Maple Sugar Lane east of Bathurst Street, and along Bentwood Crescent)

## **BY-LAWS / FORMAL RESOLUTIONS** (Cont'd.)

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### **BY-LAW NUMBER 502-2001**

(Delegation By-law 333-98)

A By-law to repeal By-law 501-2001. (PLC.01.056 – Sugarbush Developments Limited - north side of Maple Sugar Lane east of Bathurst Street, and along Bentwood Crescent)

### **BY-LAW NUMBER 503-2001**

(Delegation By-law 333-98)

A By-law to exempt part of Plans 65M-3523 and 65M-3524 from the provisions of Part Lot Control. (PLC.01.068 – Parradime Creek Holdings - north of Regional Road 7, between Thornhill Woods Drive and Bathurst Street)

### **BY-LAW NUMBER 504-2001**

(Delegation By-law 333-98)

A By-law to repeal By-law 503-2001. (PLC.01.068 – Parradime Creek Holdings - north of Regional Road 7, between Thornhill Woods Drive and Bathurst Street)

### **BY-LAW NUMBER 505-2001**

(Council, August 27, 2001, Item 22, Committee of the Whole, Report No. 54)

A By-law to amend City of Vaughan By-law 1-88. (Z.01.034 – Roybridge Holdings - southeast corner of Regional Road No. 7 and Regional Road No. 27)

### **BY-LAW NUMBER 506-2001**

(Council, November 26, 2001, Item 28, Committee of the Whole, Report No. 73)

A By-law to adopt Amendment Number 570 to the Official Plan of the Vaughan Planning Area. (OP.00.014 – Gilbert Michael Plummer)

### **BY-LAW NUMBER 507-2001**

(Council, August 27, 2001, Item 7, Committee of the Whole, Report No. 56)

A By-law to amend City of Vaughan By-law 1-88. (Z.01.054 – CNR - northeast of Pine Valley Drive and Hanlan Road, at the rear of 360 Hanlan Road)

### **BY-LAW NUMBER 508-2001**

(Council, October 15, 2001, Item 29, Committee of the Whole, Report No. 61)

A By-law to amend City of Vaughan By-law 1-88. (Z.01.053 – Shiplake Investments (Rutherford) Ltd., southwest corner of Rutherford Road and Bathurst Street)

### **BY-LAW NUMBER 509-2001**

(Council, April 2, 2001, Item 3, Committee of the Whole, Report No. 24)

A By-law to amend City of Vaughan By-law 1-88. (Z.01.016 – City of Vaughan – Design Standards Review)

### **BY-LAW NUMBER 510-2001**

(Delegation By-law 333-98)

A By-law to exempt part of Plans 65M-3435, 65M-3470, 65M-3471, 65M-3472 and 65M-3474 from the provisions of Part Lot Control. (PLC.01.067 – Woodstone Homes Ltd., northwest of Rutherford Road and Islington Avenue)

## **BY-LAWS / FORMAL RESOLUTIONS** (Cont'd.)

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### BY-LAW NUMBER 511-2001 (Delegation By-law 333-98)

A By-law to repeal By-law 510-2001. (PLC.01.067 – Woodstone Homes Ltd., northwest of Rutherford Road and Islington Avenue)

### BY-LAW NUMBER 512-2001 (Delegation By-law 333-98)

A By-law to exempt part of Plan 65M-3449 from the provisions of Part Lot Control. (PLC.01.070 – 142204 Ontario Inc., south of Teston Road and west of Keele)

### BY-LAW NUMBER 513-2001 (Delegation By-law 333-98)

A By-law to repeal By-law 512-2001. (PLC.01.070 – 142204 Ontario Inc., south of Teston Road and west of Keele)

### BY-LAW NUMBER 514-2001 (Delegation By-law 333-98)

A By-law to exempt part of Plan 65M-3521 from the provisions of Part Lot Control. (PLC.01.058 – Rivermill Homes (Vaughan) - northeast of Regional Road #7 and Dufferin Street, on the north side of Maple Sugar Lane)

### BY-LAW NUMBER 515-2001 (Delegation By-law 333-98)

A By-law to repeal By-law 514-2001. (PLC.01.058 – Rivermill Homes (Vaughan) - northeast of Regional Road #7 and Dufferin Street, on the north side of Maple Sugar Lane)

### BY-LAW NUMBER 516-2001 (Delegation By-law 333-98)

A By-law to exempt parts of Plan 65M-3441 from the provisions of Part Lot Control. (PLC.01.069 – Jenrette Construction Ltd., north of Rutherford Road, and west of Weston Road)

### BY-LAW NUMBER 517-2001 (Delegation By-law 333-98)

A By-law to repeal By-law 516-2001. (PLC.01.069 – Jenrette Construction Ltd., north of Rutherford Road, and west of Weston Road)

### BY-LAW NUMBER 518-2001 (Council, September 10, 2001, Item 25, Committee of the Whole, Report No. 58)

A By-law to amend City of Vaughan By-law 1-88. (Z.01.043 – Cityrock Estates Inc., northeast of Langstaff Road and Weston Road)

### BY-LAW NUMBER 519-2001 (Council, June 25, 2001, Item 53, Committee of the Whole, Report No. 49)

A By-law to amend City of Vaughan By-law 1-88. (Z.99.010 and DA.00.061 – Sevenbridge Developments Limited (Home Outfitters) - northeast corner of Regional Road 7 and Edgeley Boulevard)

**AWARD OF TENDER T01-155, BOWES ROAD RECONSTRUCTION, KEELE STREET TO REGIONAL ROAD NO. 7**

**Recommendation**

The Commissioner of City Engineering and Public Works, in consultation with the Directors of Legal Services, Purchasing, and Reserves and Investments recommends:

1. That Tender T01-155 for the Bowes Road Reconstruction (Keele Street to Regional Road No. 7) be awarded to Kapp Contracting Inc. in the amount of \$4,465,823.89 plus G.S.T.
2. That a contingency allowance in the amount of \$475,000.00 be approved, within which the Executive Director of City Engineering and Public Works is authorized to approve amendments to the Contract.
3. That Council approve additional funding of \$410,000 from the Sanitary Sewer Reserve for the construction of new sanitary sewer necessary to replace some sections of existing sewer on Bowes Road which are failing.
4. That the Mayor and Clerk be authorized to sign the necessary documents.
5. That the Contract Administration and Inspection services be provided by a full-time Municipal Services Inspector and that the Executive Director of City Engineering and Public Works be authorized to hire, on a contract basis, one Municipal Services Inspector in 2002 for the duration of this project.
6. That the Executive Director of City Engineering and Public Works be authorized to engage services to assist City staff during construction as follows:
  - design consultant to provide technical assistance as required,
  - geotechnical services for materials inspection and testing, and
  - traffic management services.

**Purpose**

Council approval to award contract T01-155 and to engage the necessary contract administration and inspection services required.

**Background - Analysis and Options**

The work covered by this tender (T01-155, Capital Project No. 1389-0-01) calls for the reconstruction of Bowes Road – from Keele Street to Regional Road No. 7 (approximately 2 km) as a Local Improvement. A location plan is included as Attachment 1. Included in this project are the following works:

- full road reconstruction, curb, gutter, sidewalk and storm sewers/swales (full length – shared City/Local Improvement cost),
- cast iron watermain and water service connections replacement (full length, 100% City cost), and
- sanitary sewer replacement (partial length, 100% City cost).

On April 2, 2001 Council adopted the Engineering Report regarding the estimated cost of the project, including the estimated share to be paid by the City and the estimated per metre frontage cost to be paid by the owners of the lands abutting directly on the work (Item 4, Report No. 22 of the Committee of the Whole).

Since that time, the Engineering Department completed the design and the Clerks Department notified affected property owners in accordance with the Local Improvement Act. The project was tendered in November, closing November 19, 2001. The following tender bids were received:

<u>Contractor</u>	<u>Total Bid Amount (including G.S.T.)</u>
Sanan Construction	\$4,406,533.12
Kapp Contracting Inc.	\$4,778,431.56
Advice Contracting	\$4,789,973.68
Mardave Construction Ltd.	\$4,799,297.05
Pachino Construction Ltd.	\$4,941,153.00
Clearway Construction Inc.	\$5,159,995.88
F.C.M. Construction Ltd.	\$5,656,782.21
Drainstar Contracting Ltd.	\$5,755,004.84
 Pre-Bid Benchmark Cost Estimate	 \$5,653,225.02

Staff have thoroughly reviewed and assessed the bids. As this will be the largest Capital Project under construction by the Engineering Department in 2002 and is a complex undertaking, it is imperative that the contract be awarded to a responsible firm which is "deemed most favourable to the interests of the Owner (City) or that may provide the greatest value advantage and benefit to the Owner based upon and not limited to price, ability, quality of work, service, past experience, past performance and qualifications" (City of Vaughan Bid Document 1, Item 8.1). Therefore, staff recommend that tender T01-155 be awarded to Kapp Contracting Inc. Kapp have completed several large contracts for the City over recent years with excellent results.

The estimated cost of the project including a contingency allowance and all applicable taxes is \$5,820,000.00 and is calculated as follows:

Kapp Contracting Inc. (excluding G.S.T.)	\$4,465,823.89	
Design	\$200,000.00	
Contract Administration	\$130,000.00	
Geotechnical Services (estimate)		\$80,000.00
Traffic Management Services (estimate)		\$50,000.00
Streetscaping (Tree Planting)		\$80,000.00
Contingency Allowance (10%)	\$475,000.00	
G.S.T. (3%)	\$164,424.72	
Treasury Administration (3%)	\$169,357.46	
 Total	 \$5,814,606.07	
Rounded	\$5,820,000.00	

Staff recommend that the Contract Administration and Inspection services be provided by a full-time City Municipal Services Inspector. City staff will be best able to respond to customer enquiries and concerns during the construction, and the cost to the project will be lower than retaining full-time external engineering services. However, the City only has four Inspectors available to oversee the very extensive 2002 Capital Project work plan, and one has already been assigned full-time to the Creditstone Bridge project. Therefore the Executive Director of City Engineering and Public Works requires Council authorization to hire, on a contract basis only, one Municipal Services Inspector in 2002 for the duration of the contract. It is estimated that the cost to the project for this contract staff would not exceed \$80,000.00.

The project is scheduled to commence as soon as weather and frost conditions permit in early 2002 and be substantially completed by September 30, 2002. The recommended contractor has an excellent record of completing projects on schedule and this is a key factor for this project.

Staff have also reviewed the calculations of the City and Owners share of the road (including curb, gutter and sidewalk) and storm sewer components of this project in the April, 2001 Engineers Report. The owners share (to be paid as a frontage charge) is not expected to change significantly. Staff will make the final re-calculation of the owner's share (frontage rate) when the contract has been completed and will report to Council at that time.

A financial analysis summary is provided as Attachment 2. Council has already approved sufficient funding for the City's share of the road and storm sewer components of the project (Capital Project No. 1389-0-01, \$2.6 Million, funded from Long Term Debt). Funding of \$1.25 Million for the watermain replacement component has also been approved (Item 4, Report No. 22 of the Committee of the Whole, approved by Council April 2, 2001). Additional funding of \$410,000 is required from the Sanitary Sewer Reserve to provide for replacement of some sections of sanitary sewer which have seriously deteriorated.

### **Conclusion**

Additional funding of \$410,000 from the Sanitary Sewer Reserve is required to replace some sections of sanitary sewer.

Contract administration and inspection services should be provided by a full-time City Municipal Services Inspector – with the assistance of the design consultant, geotechnical and traffic management services.

The contract should be awarded to Kapp Contracting Inc., who are deemed to be the firm and associated bid most favourable to the City's interest. Kapp have completed large contracts for the City over the past several years with excellent results.

### **Attachments**

1. Location Plan
2. Financial Summary

### **Report prepared by**

Dan Stevens, P. Eng., Manager, Engineering and Construction Services

Respectfully submitted,

FRANK MIELE  
Commissioner of Development Services  
and Public Works

Bill Robinson, P. Eng.  
Executive Director of City Engineering  
and Public Works

# ATTACHMENT No. 1



## BOWES ROAD RECONSTRUCTION

LOCATION : Part of Lots 6, 7, 8, 9 & 10  
Concession 3  
Reg Plan. R.P. 7925

### LEGEND

 PROJECT AREA



NOT TO SCALE

Drawing name: B:\00000000\BOWES\BOWES.RDP\_2005\Drawn Road.dwg



**ATTACHMENT NO. 2**

**BOWES ROAD RECONSTRUCTION - KEELE STREET TO REGIONAL ROAD NO. 7  
FINANCIAL SUMMARY**

**ESTIMATED PROJECT COST**

Construction Cost (KAPP)		\$4,465,823.89 (excl. G.S.T.)
Miscellaneous Costs		
Design Cost	\$ 200,000.00	
Construction Administration	\$ 130,000.00	
Geotechnical	\$ 80,000.00	
Traffic Management	\$ 50,000.00	
Streetscaping	<u>\$ 80,000.00</u>	
Total Miscellaneous Costs		\$ 540,000.00
Contingency		\$ 475,000.00
G.S.T. (3%)		\$ 164,424.72
Treasury Administration (3%)		<u>\$ 169,367.48</u>
<b>Total Estimated Project Cost</b>		<b>\$5,814,606.07</b>
Local Improvement Owners' Contribution (Engineer's Report Estimate, Mar 2001)		<b><u>\$1,753,348.00</u></b>
<b>Total City Cost</b>	<b>Rounded</b>	<b>\$4,061,258.01</b>
<b><u>FUNDING</u></b>	<b><u>Capital Project 1388.0.01</u></b>	
Approved Funding		
Long Term Debt Financing	\$2,600,000.00	
Water Reserves	\$1,250,000.00	
Required additional Funding for Sanitary Sewer Sewer Reserves	\$ 410,000.00	
<b>Total City Funding</b>		<b>\$4,260,000.00</b>