
Subject: Construction Status Report No. 12 – Replacement of the Burgoyne Bridge (Structure No. 081220) which carries Regional Road 81 (St. Paul Street West) over Twelve Mile Creek and Highway 406, in the City of St. Catharines

Report to: Public Works Committee

Report date: Tuesday, February 19, 2019

Recommendations

1. That Report PW 17-2019 **BE RECEIVED** for information.

Key Facts

- The purpose of this report is to provide an update on activities from April 3, 2018 to February 19, 2019.
- This report provides an update on the financial position of the project to December 31, 2018 (Appendix A).
- An update from external legal counsel and the claim analyst consultant retained by the Region will be provided to Committee in closed session.

Financial Considerations

The total approved expenditure budget for this project is \$93,344,170 which is comprised of \$89,111,074 for the construction of the bridge as well as \$4,233,096 for the acquisition of properties surrounding the construction site. To date, the total actual and forecasted expenditures are \$92,488,165, resulting in an \$856,005 expenditure budget surplus. This surplus is offset with deficits in the revenue budget of \$732,205 as a result of the actual revenues received being less than budgeted. One of the main drivers for this revenue deficit is the City of St. Catharines budgeted cost sharing contribution of \$3,560,000 versus actual billings of \$2,913,188 resulting in a deficit of \$646,812. Please see Appendix A for further details on the project expenditures and revenues.

The Region's original construction contract with Pomerleau Inc. (General Contractor) was \$71,140,396 (including non-refundable HST). In addition to the original contract, \$4,218,707 (including non-refundable HST) in change orders have been approved and paid, of that \$3,568,982 (including non-refundable HST) relate to Regional assets and the remaining change orders relate to work done by Pomerleau Inc. for utilities and the Water & Wastewater Department.

The Region was served with a statement of claim (attached as Appendix C) by the General Contractor in the amount of \$10,000,000 on January 14, 2019. The Region is

expected to respond to this claim with a statement of defence. External legal counsel and claims analyst will provide a presentation to council during closed session that will further address the financial implications related to the litigation.

Parsons has been providing engineering services, including contract administration and inspection services since the beginning of the project. The original award was approved in 2014 in the amount of \$4,168,631 (including non-refundable HST), in 2016 staff asked Council to approve an additional amount of \$1,107,228 (including non-refundable HST) to address budget pressure as a result of delays. Staff are estimating that another \$20,352 (including non-refundable HST) will be required to continue to retain Parsons through the resolution of the legal claim.

Analysis:

Not Applicable

Schedule:

Not Applicable.

Alternatives Reviewed:

This report has been provided as a summary update for information purposes.

Other Pertinent Reports:

PW 8-2014 Award of Contract No. 2013-T-104 (RN 13-04) Burgoyne Bridge Replacement

PW 24-2014 Supplemental Technical Information Burgoyne Bridge Replacement
Contract Award

PW 77-2014 Construction Status Report No. 1 - Replacement of the Burgoyne Bridge (Structure No. 081220) which carries Regional Road 81 (St. Paul Street West) over the Twelve Mile Creek in the City of St. Catharines

PW 89-2014 Construction Status Report No. 2 - Replacement of the Burgoyne Bridge (Structure No. 081220) which carries Regional Road 81 (St. Paul Street West) over the Twelve Mile Creek in the City of St. Catharines

Memo to Council dated October 21, 2014 – Construction Status Report No. 3 – Replacement of the Burgoyne Bridge (Structure No. 081220) which carries Regional Road 81 (St. Paul Street West) over the Twelve Mile Creek in the City of St. Catharines

BBRPT-C 3-2015 (PW 7-2015) Construction Status Report No. 4 - Replacement of the Burgoyne Bridge (Structure No. 081220) which carries Regional Road 81 (St. Paul Street West) over the Twelve Mile Creek in the City of St. Catharines

BBRPT-C 2-2015 (PW 32-2015) Construction Status Report No. 5 - Replacement of the Burgoyne Bridge (Structure No. 081220) which carries Regional Road 81 (St. Paul Street West) over the Twelve Mile Creek in the City of St. Catharines

BBRPT-C 4-2015 Corrected Appendix B of Report PW 32-2015 – Summary of Change Orders and Contemplated Change Orders (PWC-C 22-015)

BBPRT-C 6-2015 Construction Status Report No. 6 – Replacement of the Burgoyne Bridge (Structure No. 081220) which carries Regional Road 81 (St. Paul Street West) over Twelve Mile Creek and Highway 406, in the City of St. Catharines

BBPRT-C 15-2015 Construction Status Report No. 7 – Replacement of the Burgoyne Bridge (Structure No. 081220) which carries Regional Road 81 (St. Paul Street West) over Twelve Mile Creek and Highway 406, in the City of St. Catharines

BBRPT-C 6-2016 A memorandum, dated January 6, 2016 from Ron Tripp, Commissioner of Public Works, respecting the Burgoyne Bridge Replacement Project Update

BBRPT-C 7-2016 A memorandum, dated January 6, 2016 from Ron Tripp, Commissioner of Public Works, respecting Councillor Information Requests

BBRPT-C 12-2016 Construction Status Update Report No. 8 - Replacement of the Burgoyne Bridge (Structure No. 081220) which carries Regional Road 81 (St. Paul Street West) over Twelve Mile Creek and Highway 406, in the City of St. Catharines

PWC-C 30-2016 A memorandum dated November 8, 2016 from Ron Tripp, Commissioner of Public Works, respecting Request for Information Revised Appendix E to BBRPT-C 12-2016

BBRPT-C 4-2017 Construction Status Update Report No. 9 - Replacement of the Burgoyne Bridge (Structure No. 081220) which carries Regional Road 81 (St. Paul Street West) over Twelve Mile Creek and Highway 406, in the City of St. Catharines

PW 50-2017 Construction Status Update Report No. 9 - Replacement of the Burgoyne Bridge (Structure No. 081220) which carries Regional Road 81 (St. Paul Street West) over Twelve Mile Creek and Highway 406, in the City of St. Catharines

PW 10-2018 Burgoyne Status Update 11 - Replacement of the Burgoyne Bridge (Structure No. 081220) which carries Regional Road 81 (St. Paul Street West) over Twelve Mile Creek and Highway 406, in the City of St. Catharines

CWCD 354-2018 CIR - Burgoyne Bridge Replacement Task Force

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This report was prepared in consultation Donna Gibbs, Director Legal and Court Services.

Appendices

- Appendix A Total Project Budget Summary
- Appendix B Memo CWCD 354-3018 dated October 26, 2018 re Councillor
Information Request – Burgoyne Bridge Replacement Task Force
- Appendix C Statement of Claim