

**THE REGIONAL MUNICIPALITY OF NIAGARA
PUBLIC WORKS COMMITTEE
MINUTES**

**PWC 7-2019
Tuesday, July 9, 2019
Council Chamber
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee: Chiocchio, Edgar (Committee Vice-Chair), Fertich, Foster, Gale, Heit, Insinna, Ip, Nicholson, Rigby (Committee Chair), Sendzik, Steele, Ugulini, Witteveen, Zalepa

Absent/Regrets: Bradley (Regional Chair), Disero, Diodati, Junkin

Staff: S. Alkarawi, Associate Director, Transportation Planning, D. Ane, Manager, Program Financial Support, D. Barnhart, Executive Officer to the Regional Chair, M. Evelyn, Legislative Coordinator, D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Enterprise Resource Management Services, B. Menage, Director, Procurement and Strategic Acquisition, A.-M. Norio, Regional Clerk, M. Robinson, Director, GO Implementation Office, C. Ryall, Acting Commissioner, Public Works, R. Salewytch, Transit Services Program Manager, S. Shafai, Associate Director, Waste Water Operations, S. Tait, Waste Management Program Manager, L. Torbicki, Acting Director, Waste Management Services, R. Tripp, Acting Chief Administrative Officer, A. Tyldesley, Associate Director, Waste Collection and Diversion, S. Wood, Legal Counsel

1. CALL TO ORDER

Committee Chair Rigby called the meeting to order at 9:30 a.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. **PRESENTATIONS**

3.1 **Negotiated Request for Proposals – General Overview**

Bart Menage, Director, Procurement and Strategic Acquisitions provided Committee Members with information respecting Negotiated Request for Proposals - General Overview. Topics of the presentation included:

- Benefits
- Risks and Challenges
- The Process
- Negotiation Principles
- Negotiation Process

Councillor Information Request(s):

Provide information respecting the protection of confidentiality through the negotiation period. Councillor Sendzik.

Provide a decision matrix tree that illustrates the roles and responsibilities of staff and Council in the negotiated RFP process. Councillor Sendzik.

4. **DELEGATIONS**

Moved by Councillor Sendzik
Seconded by Councillor Insinna

That Cecil Hall **BE PERMITTED** to appear as a delegate respecting the placement of banners on the Burgoyne Bridge to honour veterans.

Carried

4.1 **Banners to Honour Veterans**

Cecil Hall, Resident, City of St. Catharines, appeared before Committee to request the Niagara Region allow banners to be placed on the Burgoyne Bridge in honour of veterans during October and November.

Moved by Councillor Ugolini
Seconded by Councillor Foster

That the presentation respecting the placement of banners honouring veterans on the Burgoyne Bridge **BE REFERRED** to staff to provide additional information.

Carried

5. ITEMS FOR CONSIDERATION

5.1 PW 38-2019

Community Safety Zones

Moved by Councillor Zalepa

Seconded by Councillor Foster

That Report PW 38-2019, dated July 9, 2019, respecting Community Safety Zones, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the designation of Community Safety Zones (CSZs) **BE APPROVED** for:
 - a. Regional Road 81 (York Road) from Queenston Road to Concession 3 Road in the Town of Niagara-on-the-Lake, length of 1.10 km; and
 - b. Regional Road 24 (Victoria Avenue) from Frederick Avenue to Regional Road 81 (King Street) in the Town of Lincoln, length of 1.20 km
2. That the necessary By-law **BE PREPARED** and **PRESENTED** to Regional Council for consideration; and
3. That Regional Staff **REPORT BACK** with potential future CSZ locations by the end of 2019.

Carried

5.2 PW 35-2019

Automated Speed Enforcement – Safer School Zones Act

Moved by Councillor Edgar

Seconded by Councillor Fertich

That Report PW 35-2019, dated July 9, 2019, respecting Automated Speed Enforcement - Safer School Zones Act, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Staff **BE AUTHORIZED** to partner with the Ministry of Transportation, the Ministry of the Attorney General, and other partnering municipalities in the Ontario Traffic Council's (OTC) Automated Speed Enforcement (ASE) Working Group (WG) to set-up a consistent program for all municipalities in which to operate ASE technology in Ontario, with a target date of fall 2019 for legislative approval; and

2. That Regional Staff **REPORT BACK** to Public Works Committee upon completion of the OTC working group review and RFP findings, on the award terms and conditions for the Province approved Vendor to supply, install, operate and maintain the ASE System throughout Niagara Regional roads, for a five-year period from 2019 to 2023 with the option to extend up to five additional years; including Transportation operating costs.

Carried

5.3 PW 41-2019

St. David's Road Interchange Reconstruction and Multi-Use Path Construction

Moved by Councillor Ugolini

Seconded by Councillor Insinna

That Report PW 41-2019, dated July 9, 2019, respecting The St. David's Road Interchange Reconstruction and Multi-Use Path Construction, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Chief Administrative Officer **BE AUTHORIZED** to execute the agreement between The Regional Municipality of Niagara (Niagara Region) and the Ministry of Transportation (MTO) pertaining to the construction, cost sharing and future maintenance of the Multi-Use Path (MUP) and associated interchange reconfiguration works for the St. David's Road Interchange; and
2. That a gross capital budget adjustment in the amount of \$1,470,784 gross and \$0 net **BE RECEIVED** (and **INITIATED**) for the St. David's Road Interchange Reconstruction and Multi-Use Path Construction, and that the project **BE FUNDED** from cost sharing agreements with both the City of St. Catharines and City of Thorold and with Provincial Funding through the Ontario Municipal Commuter Cycling (OMCC) Program as outlined in Appendix A of Report PW 41-2019.

Carried

5.4 PW 42-2019

Construction Contact: Dain City Sewage Pumping Station Forcemain Replacement

Moved by Councillor Chiocchio
Seconded by Councillor Steele

That Report PW 42-2019, dated July 9, 2019, respecting Construction Contract: Dain City Sewage Pumping Station Forcemain Replacement, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That Council **AUTHORIZE** staff to proceed with an award to V. Gibbons Contracting Ltd. in the amount of \$1,544,091 (including contingency and HST) to construct/replace the temporary forcemain in Dain City in accordance with Section 17 of Procurement By-law No. 02-2016, as amended on February 28, 2019.

Carried

5.5 PW 40-2019

Niagara Specialized Transit Service Delivery Amending Agreement 2019-2020

Moved by Councillor Ugolini
Seconded by Councillor Sendzik

That Report PW 40-2019, dated July 9, 2019, respecting Niagara Specialized Transit Service Delivery Amending Agreement 2019-2020, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the Chief Administrative Officer **BE AUTHORIZED** to execute the Niagara Specialized Transit (NST) Service Delivery Amending Agreement 2019-2020 between The Regional Municipality of Niagara and The BTS Network Inc. such that the Agreement meets the approval of the Director of Niagara Region Legal and Court Services.

Carried

6. CONSENT ITEMS FOR INFORMATION

Moved by Councillor Ugolini
Seconded by Councillor Steele

That the following items **BE RECEIVED** for information:

PW 39-2019

Niagara Specialized Transit Operations Review

PW 36-2019

Red Light Camera

PWC-C 19-2019

Waste Collection RFP Schedule

PWC-C 20-2019

Status of the new Niagara-on-the-Lake Wastewater Treatment Plant Testing and Commissioning Process

Carried

7. OTHER BUSINESS

7.1 Mewburn Bridge Construction Update

Carolyn Ryall, Acting Commissioner, Public Works, provided an update respecting construction of the Mewburn Road Bridge in Niagara Falls and Concession 6 Road in Niagara-on-the-Lake. She also informed Committee Members that the Ministry of Transportation is not considering constructing an interchange at Highway 405 and Concession 6 Road. She advised that Niagara Region staff are working closely with staff from Niagara-on-the-Lake and the City of Niagara Falls with respect to this area.

7.2 Environmental Assessment (EA) Regional Road 14 (Bartlett Avenue)

Committee requested information respecting the EA for Regional Road 14 (Bartlett Avenue) in the Town of Grimsby. Carolyn Ryall, Acting Commissioner, Public Works, advised that this EA was an extensive process and an update on next steps would be provided at a future meeting.

7.3 Regional Road Concerns

Councillor Fertich requested information respecting the resurfacing of Regional Road 81 (Main Street East) in the Town of Grimsby and enquired if the resurfacing could be undertaken sooner. Carolyn Ryall, Acting Commissioner, Public Works, advised that resurfacing for Regional Road 81 from Casablanca Boulevard to Oakes Road is slated for 2020.

Councillor Fertich requested information respecting what portions of Christie Street, Ontario Street and Maple Avenue in the Town of Grimsby are under the responsibility of the Region.

Councillor Insinna enquired if public outreach is undertaken to encourage the use of public transportation during times of significant road work being conducted. Ron Tripp, Acting Chief Administrative Officer, advised that the Transportation Master Plan includes the philosophy that roads be designed to balance the needs for all users.

7.4 Burgoyne Bridge Construction

Councillor Edgar requested information respecting the current construction on the Burgoyne Bridge and enquired if the work could be completed at night so as to not impede traffic. Ron Tripp, Acting Chief Administrative Officer, advised that the work was being undertaken to address the final deficiencies with respect to coatings for the structural steel. He noted that due to safety issues and to ensure the integrity of the work that it had to be completed during the day.

8. CLOSED SESSION

Moved by Councillor Foster
Seconded by Councillor Ugulini

That this Committee **DO NOW MOVE** into Closed Session for the purposes of receiving information of a confidential nature respecting:

A Matter Of Advice That Is Subject To Solicitor-Client Privilege - 2019 Waste Collection RFP;

A Matter Of Advice That Is Subject To Solicitor-Client Privilege Supplemental Information To Confidential Report PW 31-2019 - 2019 Waste Collection RFP; and

A Matter Of Advice That Is Subject To Solicitor-Client Privilege - 2019 Waste Collection RFP - Next Steps.

Carried

9. BUSINESS ARISING FROM CLOSED SESSION ITEMS

Committee reconvened in open session at 12:37 p.m. with the following individuals present:

Committee: Edgar (Committee Vice-Chair), Fertich, Foster, Gale, Heit, Insinna, Nicholson, Rigby (Committee Chair), Sendzik, Steele, Ugulini, Zalepa

Absent/Regrets: Bradley (Regional Chair), Chiocchio, Disero, Diodati, Ip, Junkin, Witteveen

Staff: D. Ane, Manager, Program Financial Support, D. Barnhart, Executive Officer to the Regional Chair, M. Evely, Legislative Coordinator, D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Enterprise Resource Management Services, B. Menage, Director, Procurement and Strategic Acquisition, A.-M. Norio, Regional Clerk, C. Ryall, Acting Commissioner, Public Works, S. Tait, Waste Management Program Manager, L. Torbicki, Acting Director, Waste Management Services, R. Tripp, Acting Chief Administrative Officer, A. Tyldesley, Associate Director, Waste Collection and Diversion, S. Wood, Legal Counsel

9.1 Confidential Report PW 31-2019

A Matter Of Advice That Is Subject To Solicitor-Client Privilege - 2019 Waste Collection RFP

Moved by Councillor Zalepa
Seconded by Councillor Ugulini

That Confidential Report PW 31-2019, dated July 9, 2019, respecting A Matter Of Advice That Is Subject To Solicitor-Client Privilege - 2019 Waste Collection RFP, **BE RECEIVED** and the recommendations therein **BE APPROVED**.

Recorded vote:

Yes (11): Edgar, Fertich, Foster, Gale, Heit, Insinna, Nicholson, Rigby, Sendzik, Steele, Ugulini.

No (1): Zalepa.

Carried

9.2 Confidential Report PW 28-2019

A Matter Of Advice That Is Subject To Solicitor-Client Privilege
Supplemental Information To Confidential Report PW 31-2019 - 2019
Waste Collection RFP.

Moved by Councillor Insinna
Seconded by Councillor Steele

That Confidential Report PW 28-2019, dated July 9, 2019, respecting A
Matter Of Advice That Is Subject To Solicitor-Client Privilege
Supplemental Information To Confidential Report PW 31-2019 - 2019
Waste Collection RFP, **BE RECEIVED** and the recommendations therein
BE APPROVED.

Carried

9.3 Confidential Report PW 43-2019

A Matter Of Advice That Is Subject To Solicitor-Client Privilege - 2019
Waste Collection RFP - Next Steps.

Moved by Councillor Ugulini
Seconded by Councillor Heit

That Confidential Report PW 28-2019, dated July 9, 2019, respecting A
Matter Of Advice That Is Subject To Solicitor-Client Privilege - 2019 Waste
Collection RFP - Next Steps, **BE RECEIVED** and the recommendations
therein **BE APPROVED**.

Carried

10. **NEXT MEETING**

The next meeting will be held on Tuesday, August 6, 2019 at 9:30 a.m. in the
Council Chamber, Regional Headquarters.

11. ADJOURNMENT

There being no further business, the meeting adjourned at 12:40 p.m.

Councillor Rigby
Committee Chair

Mark Evely
Legislative Coordinator

Ann-Marie Norio
Regional Clerk