



Media Release: Immediate

Regional Municipality of Waterloo

Consolidated Council Agenda

Wednesday, August 19, 2015

Regular Meeting 7:00 p.m.

Regional Council Chamber

150 Frederick Street, Kitchener, ON

*Denotes Item(s) Not Part of Original Agenda

- 1. Moment of Silence**
- 2. Roll Call**
- 3. Motion To Go Into Closed Session**
- 4. Motion to Reconvene Into Open Session**
- 5. Declaration of Pecuniary Interest Under The Municipal Conflict of Interest Act**
- 6. Presentations**
 - 6.1 Lieutenant Governor's Ontario Heritage Award Life Time Achievement - Pat Rosebrugh
- 7. Petitions**
- 8. Delegations**
 - 8.1 [RC-15-02](#), Council Vacancy (see page 61)
 - 8.1.1 [Peter Woolstencroft](#)

8.1.2 Larry Wettlaufer

* 8.1.3 James Howe

* 8.1.4 Jeffrey Beckner

9. Minutes of Previous Meetings

9.1 Closed Council – June 24, 2015

9.2 Council – June 24, 2015

9.3 All Council - June 25, 2015

9.4 Community Services - August 11, 2015

9.5 Administration & Finance – August 11, 2015

9.6 Closed Committee - August 11, 2015

9.7 Licensing & Hearings - August 11, 2015

9.8 Planning & Works – August 11, 2015

10. Communications

* 10.1 [Memo](#): Regional Development Charge Deferrals 8E

* 10.2 Submission from [Gordon and Daphne Nicholls](#) re: RC-15-02, Council Vacancy 8G

11. Motion To Go Into Committee Of The Whole To Consider Reports

12. Reports

Finance Reports

12.1 [COR-TRY-15-75](#), T2015-193 Cambridge Landfill Gas Control Plant Upgrades, Cambridge Waste Management Facility, Cambridge, Ontario 9

Recommendation:

That the Regional Municipality of Waterloo accept the tender of Stone Town Construction Limited for T2015-193 Cambridge Landfill Gas Control Plant Upgrades, Cambridge Waste Management Facility, Cambridge, Ontario in the amount of \$796,628.00 plus all applicable

taxes.

- 12.2** **COR-TRY-15-76**, T2015-145 Storm System Improvements, Townline Road at Wellington County Road 32, City of Cambridge 12

Recommendation:

That the Regional Municipality of Waterloo accept the tender of G. Melo Excavating Ltd. for T2015-145 Storm System Improvements, Townline Road at Wellington County Road 32, City of Cambridge in the amount of \$428,910.00 plus all applicable taxes.

And that the Regional Municipality of Waterloo approve an increase in the project cost of \$383,570.43 gross and \$0.00 net to facilitate the work undertaken on behalf of the Ministry of Transportation.

- 12.3** **COR-TRY-15-77**, T2015-178 2015 Intersection and Other Miscellaneous Roadway Improvements 15

Recommendation:

That the Regional Municipality of Waterloo accept the tender of Vista Contracting Limited for T2015-178 2015 Intersection and Other Miscellaneous Roadway Improvements in the amount of \$591,773.00 plus all applicable taxes;

And that the Regional Municipality of Waterloo approve an increase in project cost of \$305,308.75 gross and \$0.00 net to facilitate the access improvement work on Northumberland Street undertaken on behalf of 1875656 Ontario Inc.;

And that the Regional Municipality of Waterloo approve an increase in project cost of \$115,561.04 gross and \$0.00 net to facilitate the access improvement work on Dumfries Road undertaken on behalf of Jeffery Donald Sherk and Suzanne Catherine Poole;

And that the Regional Municipality of Waterloo approve an increase in project cost of \$52,746.58 gross and \$0.00 net to facilitate the access improvement work on Bleams Road undertaken on behalf of R. B. J. Schlegel Holdings Inc.;

And that the Regional Municipality of Waterloo approve an increase in project cost of \$26,474.23 gross and \$0.00 net to facilitate the multi-

use trail work on Ira Needles Boulevard undertaken on behalf of the City of Kitchener.

- 12.4** [COR-TRY-15-78](#), T2015-142 150 Main Street, Parking Area Rehabilitation 21

Recommendation:

That the Regional Municipality of Waterloo accept the tender of JB Construction Management Corporation for T2015-142 - 150 Main Street, Parking Area Rehabilitation in the amount of \$1,113,228.60 plus all applicable taxes.

- 12.5** [COR-TRY-15-79](#), T2015-131 HVAC Upgrades at the Pinebush, Shades Mill and Turnbull Water Treatment Plants 23

Recommendation:

That the Regional Municipality of Waterloo accept the tender of Dean-Lane Contractors Inc. for T2015-131 HVAC Upgrades at the Pinebush, Shades Mill and Turnbull Water Treatment Plants in the amount of \$695,000.00 plus all applicable taxes.

- 12.6** [COR-TRY-15-80](#), T2015-187 Recoating of Mannheim East Standpipe, Mannheim Water Treatment Plant, Kitchener, ON 25

Recommendation:

That the Regional Municipality of Waterloo accept the tender of Jacques Daoust Coatings Management Inc. for T2015-187 Recoating of Mannheim East Standpipe, Mannheim Water Treatment Plant, Kitchener, ON in the amount of \$796,900.00 plus all applicable taxes.

- 12.7** [COR-TRY-15-81](#), T2015-129 Construction of Tertiary Treatment and New Outfall Contract 4, Kitchener Wastewater Treatment Plant, City of Kitchener 28

Recommendation:

That the Regional Municipality of Waterloo accept the tender of Maple Reinders Constructors Ltd and Ball Construction (Joint Venture) for T2015-129 Construction of Tertiary Treatment and New Outfall Contract 4, Kitchener Wastewater Treatment Plant, City of Kitchener in the amount of \$25,639,962.12 plus all applicable taxes.

- 12.8** **COR-TRY-15-82**, T2015-158 Galt Wastewater Treatment Plant – Plant B Secondary Clarifier Mechanism Replacements 31

Recommendation:

That the Regional Municipality of Waterloo accept the tender of Bestco Construction (2005) Ltd. for T2015-158 Galt Wastewater Treatment Plant - Plant B Secondary Clarifier Mechanism Replacements, City of Cambridge, in the amount of \$2,854,983.00 plus all applicable taxes;

And that the Regional Municipality of Waterloo increase the scope of Associated Engineering's Purchase Order 171699 to include consulting engineering services for contract administration and site inspection in the amount of \$96,180.00 plus all applicable taxes for a total cost of \$191,057.20 plus all applicable taxes.

- 12.9** **COR-TRY-15-83**, T2015-196 Hespeler Wastewater Treatment Plant Prefabricated Building and Electrical Duct Banks 35

Recommendation:

That the Regional Municipality of Waterloo accept the tender of STM Construction Limited for T2015-196 Hespeler Wastewater Treatment Plant Prefabricated Building and Electrical Duct Banks, in the City of Cambridge in the amount of \$258,900.00 plus all applicable taxes.

- 12.10** **COR-TRY-15-84**, T2015-122 Waterloo Regional Housing Kitchen Replacement 38

Recommendation:

That the Regional Municipality of Waterloo accept the tender of 633383 Ontario Inc. o/a Amato & Son for T2015-122 – Waterloo Regional Housing Kitchen Replacement in the amount of \$364,100.00 plus all applicable taxes.

- 12.11** **COR-TRY-15-85**, T2015-198 Generator Replacement at 250 Strasburg Rd, Kitchener, ON 40

Recommendation:

That the Regional Municipality of Waterloo accept the tender of Sheridan Electric Services Ltd. for T2015-198 Generator Replacement at 250 Strasburg Rd., Kitchener, ON in the amount of

\$525,836.00 plus all applicable taxes.

Committee Reports

- | | | |
|---|--|-----|
| | 12.12 Community Services - attached & marked SS-150811 | 43 |
| | 12.13 Administration & Finance - attached & marked FS-150811 | 47 |
| | 12.14 Planning & Works - attached & marked PS-150811 | 49 |
| * | 12.14.1 Memo : Curbside Collection Bid Option Report (TES-WMS-15-10) Follow-up | 60A |
| * | 12.14.2 Closed Planning & Works - attached & marked CPS-150811 | 60C |

Chief Administrative Officer

Regional Chair

- | | | |
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| 12.15 | RC-15-02 , Council Vacancy | 61 |
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Recommendation:

That Elizabeth Clarke be appointed as a Regional Councillor for Kitchener to fill the vacancy declared by Regional Council on August 19, 2015, effective August 24, 2015.

Regional Clerk

- | | | |
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| 12.16 | PDL-CAS-15-07 , 2016 Schedule of Council/Committee Meetings | 64 |
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Recommendation:

That the Regional Municipality of Waterloo adopt the 2016 Council and Committee Meeting Schedule attached to Report PDL-CAS-15-07 dated August 19, 2015.

13. Other Matters Under Committee Of The Whole

- | | | |
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| 13.1 | PDL-LEG-15-62 , 2480 Homer Watson Boulevard, Kitchener Road Dedication | 67 |
|-------------|--|----|

Recommendation:

That the Regional Municipality of Waterloo pass a by-law to add to the Regional Road System to form part of Regional Road 28 (Homer

Watson Boulevard) the lands described as:

Part Biehn's Unnumbered Tract, Twp of Waterloo closed by 430758, as in 430768 East of Part 5, 58R-4554, City of Kitchener (all of PIN 03771-0039 (LT)).

And that the Regional Solicitor be directed to register notice of such by-law on title to the lands that are subject of the by-law.

- 14. Motion For Committee Of The Whole To Rise And Council Resume**
- 15. Motion To Adopt Proceedings Of Committee Of The Whole**
- 16. Motions**
- 17. Notice of Motion**
- 18. Unfinished Business**
- 19. Other Business**
- 20. Questions**
- 21. Enactment Of By-laws – First, Second & Third Readings**
 - 21.1 A By-law to Amend By-law 15-019, a by-law to Establish Fees and Charges for the Regional Municipality of Waterloo (Library and Airport)
 - 21.2 A By-law to Amend By-law 06-072, as Amended, Being the Region's Traffic and Parking By-law (Rates of Speed – Nafziger Road, Wellesley Township)
 - 21.3 A By-law to Amend By-Law Number 15-036, a By-Law to Close Part of King Street North (Regional Road 15), City of Waterloo dated June 24, 2015.
 - 21.4 A By-law to Expropriate Lands For the Reconstruction of Sawmill Road from the Conestogo Bridge to Musselman Crescent in the Township of Woolwich, in the Region of Waterloo
 - 21.5 A By-law to Expropriate Lands For The Reconstruction of Fountain Street (Regional Road 17) from Shantz Hill Road to King Street West and King Street West (Regional Road 8) from Fountain Street to Eagle Street, in the City of Cambridge

21.6 A By-law to dedicate certain lands as part of the highway known as Homer Watson Boulevard (Regional Road No. 28) in the City of Kitchener, Regional Municipality of Waterloo

21.7 A By-law to Confirm the Actions of Council – August 19, 2015

22. Adjourn

To Members of Waterloo Regional Council

The case for holding a by-election to fill the Kitchener vacancy is overwhelming. The case for appointment is weak. I will make that argument on Wednesday, August 19th. Here I want to discuss Report RC-15-002, in which Regional Chair Seiling makes an argument for appointment. I will focus on particular issues in the report because the time allotted on Wednesday does not allow me to address them. I want to make the point that various arguments made in favour of appointment are mired in ambiguity and, in fact, point to the necessity of a by-election.

For over fifty years I have studied democracy and elections. Many books on municipal government and politics have been published following my analytical and editorial advice. I have written academic (including an article in *Municipal World* on the issue of appointment and election) and popular pieces and given 100s of media interviews about democratic processes. I write from that extensive experience.

I was not involved in the election of Kitchener's regional representatives in 2015. If a by-election is held I will not be involved. However, what I have to say reflects my experience in over 40 elections, so I am not approaching the question from an "ivory tower."

1. It is unfortunate that the issue of appointment and the possible appointment of Elizabeth Clarke are combined. It would have helpful to have a discussion of the principles that would support appointment. It would be better to focus on the first in order to avoid personal references. Further, it would mean that council would consider the merits of election or appointment without reference to a particular candidate.

2. It is also unfortunate that no recognition is given in the Chair's Report to the argument for election. Some comments are made about democracy but nothing is said about the idea that those who represent the people do so because they were elected. This is true for all the things that regional council does but, most importantly, is true for the imposition of taxes and spending of money. This is a bedrock principle

of our society that needs to be discussed; indeed, a case must be made as to why this principle should be set aside. Sadly, no such case is made. Council needs to answer the question: why is the appointment principle stronger than the election principle?

3. The claim is made in point 2 that “each member elected is independent.” Moreover, “the head of council is directly elected and not dependent on other members of council.” These statements (certainly true) contain a contradiction that destroys the argument for appointment; the appointee is dependent on other members of the same decision-making body for being in office; that person will not have the benefit of independence by being elected; moreover, that person, since the decision will be made by an open vote, will know who are friends and who are not. How does that lead to independence? The phrases quoted, in fact, make the argument for a by-election. It is important to note that section 244 of the Municipal Act allows a secret ballot for the appointment of the head of council or presiding officer.

4. The document declares that the election is in effect a rating system. The voluminous academic literature on voting would deny this declaration. Kitchener voters were asked to vote for up to four candidates; each vote cast is equal to every other vote. Voters were not asked to mark a preferential ballot so vote differences between candidates reflect relative popularity. Further, since voters may vote for fewer than four candidates it is totally inappropriate to think of the election as a rating system. In point four a new version of this concept of an election is introduced “in that it easily argued that the ballot is a preferential ballot from the top down given that electors had 4 votes on this ballot.” Again, to the contrary; it is an impossible interpretation as voters were not asked for relative preferences. (I will return to the concept of an election later and discuss it on Wednesday.) Simply, votes were cast and candidates received more or less votes than others, thus producing winners and losers.

Candidates are not just personalities; each represents values, commitments, preferences, allegiances, and loyalties. An election is not just relative preferences between people but the preference for what candidates represent. The election of 2014, in sum, represented the electorate’s judgment about the candidates – who was closer and who

was farther away their thinking of voters. Accordingly, the runner up is interpreted as being farther away rather than closer to voters.

5. Point 4 claims “that appointing the 5th place candidate is consistent with democratic principles.” Which democratic principles? Hundreds of books have been written on democracy and its implementation. I do not know of one published in the last 50 years that would justify appointment on the grounds of democratic theory.

6. The reference to democratic principles made in the Report’s 4th point is odd inasmuch as it made within the context of the Regional Council making an appointment. But there is a contradiction: it allows those who represent places other than Kitchener to decide who represents Kitchener. How is this consistent with democratic principles?

7. In point five it is argued that it is hard to justify “a city-wide election as opposed to a ward election.” This is puzzling. Is it suggested that a small-scale election is acceptable but a larger-scale one is not? Surely, if one is to approach the matter as one of practicality, the formulation should be the other way – the larger the unit, stronger the argument for an election.

7. Point five contains observations that are not central to the question. Yes, candidates in 2015 spent money but that fact in itself does not justify appointment. The point is made that a by-election would allow “those who did not register in 2014 the ability to enter the race, not having shown any interest late last year.” Which democratic principle would lead you to conclude that it is unfair for otherwise qualified people to run?

The decision to become a candidate is not easy so it’s presumptuous to think that only those who ran in 2014 had interest. Timing is always a problem. A by-election might and probably will produce new candidates. Great! Each one will have to organize, find support, and raise money. In so doing they will speak to the future of regional government.

8. The Report’s 6th point overlooks that many elections (federal, provincial, municipal) have been held simultaneously. (In fact, in the

United States people on the same day may vote for myriad offices, from President down to local officials plus various budget initiatives or referenda.) It is curious that the question of election is put aside because another election is being held. It is also strange that an argument for appointment is based on the idea that voters may be confused by simultaneous elections.

7. In Report 8 an argument is made about time and the value of an immediate appointment rather than a later election. Again, curious, as the consequence of this line of thinking is that a Kitchener representative will speak on behalf of the city for over three years without the vote of Kitchener citizens. In other words, time is twisted: a recent election should result in an appointed person holding a vacated office for a long time.

8. The report, as argued above, presents an interpretation of last fall's election that is not supportable. Also troubling is the argument that appointment is justifiable because the runner up was so close to the fourth place candidate elected that the office should go to her. The assumption is that the results of an election simply were an ordering of choices of slight consequence.

Elections, contrarily, are a method to determine who will represent and who will not represent citizens. Inevitably, there are winners and there are others. The latter do not have any legitimate claim to represent citizens, a claim that can be made only by those who won.

The arguments made in the Report are weak. There is at best a middling case made for appointment and, indeed, some arguments made in the name of appointment actually are arguments for an election.

Appointment requires a compelling case to be made. This has not been done. A compelling case has to be made that a fundamental institution – an election – should be set aside. This has not been done.



Region of Waterloo

Corporate Services

Financial Services & Development Financing

Date: August 19, 2015

Memorandum

To: Chair Ken Seiling and Members of Regional Council
From: Craig Dyer, Commissioner of Corporate Services/Chief Financial Officer
Subject: Regional Development Charge Deferrals

Pursuant to the Region of Waterloo's Development Charge By-law, development charges are assessed and collected in full prior to the issuance of a building permit. The Region imposes development charges for non-residential development on all of the space, both above and below grade, to be created in a given development, subject to applicable exemptions, regardless of when or whether an interior finishes permit may be issued. In no case has Council approved a deferral of development charges until such time as a permit for interior finishing is issued.

In very limited cases, Regional Council has entered into a deferral agreement with a developer. There have only been three deferrals of development charges in previous years, all characterized by special circumstances.

- 1) In 2000, the Wings of Butterfly Corporation received a five-year deferral in the amount of \$14,472.48. Designed to house tropical butterflies in a tropical garden environment, the building was to be devoted to education purposes in conjunction with school boards.

- 2) In 2001, Trinity Village proposed construction of a new 120 room facility, which would replace an existing 85 room facility and provide 35 additional rooms. The existing building was considered a "D" facility under the long-term care classification system and as such was deemed a high priority for replacement. Trinity Village was granted up to a two-year deferral in the amount of \$130,900 from the date of issuance of the building permit for the new structure. This deferral was later extended by one year. In effect, the deferral provided for early recognition of the redevelopment allowance which would be recognized when the existing facility was renovated. This renovation could not take place until the residents were re-located to the new facility.
- 3) In 2004, Council approved a four month deferral in the amount of \$167,688 that was secured by a letter of credit in order to provide time for a developer to produce evidence to the Region that development charges had been previously paid for a development at 736 Old Alberta Street, Waterloo. The developer was unable to provide evidence and the development charge was ultimately paid.

Dear Chairman Seiling

In early July we wrote to you about the process to be used to fill the council seat left vacant by the death of Councillor Wettlaufer.

Unfortunately we will not be able to attend the council meeting this week. Our absence does not indicate a lack of interest. Since we can not appear to address council, would you please re-circulate our original letter to remind the councillors of why we think an appointment would be appropriate.

Thank you

Gordon Nicholls

Original letter sent in July

Dear Chairman Seiling

Waterloo Region has announced that the replacement procedure for Mr. Wettlaufer will start in August.

We think the replacement should be selected from the next highest candidate on the result list of the October 2014 election.

Our reasons for this are as follows:.

We are in a time when the Region has many large expenses, such as the new LRT, and at the same time our region has been hit by some major layoffs of workers. Many people are hurting financially and it would be best if the Region could avoid the unnecessary expense of a by-election.

Second, we have looked at the vote count for the top six councillors and noticed the following:

position 3	Mr. Wettlaufer	17833 votes
position 4	Mr. Lorentz	17424 votes
position 5	Ms. Clarke	16903 votes
position 6	Mr. Dearlove	14738 votes

The first point to notice is that candidates Clarke and Dearlove obtained significant support- well over 10000 votes for each.

The second point to observe is that Ms Clarke was only 521 votes behind Mr. Lorentz. The number of votes between them was relatively small and in fact only amounted to a 2.99% difference.

If Ms. Clarke is still available to take the empty seat on council, then the decision to appoint her could be supported by the arithmetic argument presented above.

If Ms Clarke is not available to fill the vacant council position then the arithmetic argument is not as strong for Mr. Dearlove, but still viable. If he were the only person available to fill the vacant position then council would have to decide if a 15.4% difference is more important than the financial argument when deciding whether to call a by-election.

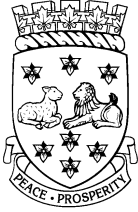
In conclusion we think Regional Council should support the appointment of Ms. Clarke to the vacant Regional Councillor position by introducing a motion to appoint her to the vacant position

Yours truly

Gordon & Daphne Nicholls

36 The Crestway

Kitchener, N2P 2J2



Report: COR-TRY-15-75

Region of Waterloo
Corporate Services
Treasury Services (Procurement)

To: Regional Chair Ken Seiling and Members of Regional Council

Date: August 19, 2015 **File Code:** F18-30

Subject: T2015-193 Cambridge Landfill Gas Control Plant Upgrades, Cambridge Waste Management Facility, Cambridge, Ontario

Recommendation:

That the Regional Municipality of Waterloo accept the tender of Stone Town Construction Limited for T2015-193 Cambridge Landfill Gas Control Plant Upgrades, Cambridge Waste Management Facility, Cambridge, Ontario in the amount of \$796,628.00 plus all applicable taxes.

Summary: Nil

Report:

Tenders were called for T2015-193 Cambridge Landfill Gas Control Plant Upgrades, Cambridge Waste Management Facility, Cambridge, Ontario and were advertised in the Record, in the Daily Commercial News, on the Ontario Public Buyers Association website and on the Region's website. The tenders were opened in the presence of C. Melitzer, K. Brisbois and T. Lumgair.

The following tenders were received:

Stone Town Construction Limited	St. Mary's, ON	\$796,628.00
MN Dynamic Construction Ltd.	Oakville, ON	\$819,161.00
BGL Contractors Corp.	Waterloo, ON	\$824,000.00
Dean-Lane Contractors Inc.	Kitchener, ON	\$858,000.00

H2Ontario Inc. New Hamburg, ON \$944,030.00

The work under this contract includes the following:

- 1. Replacement of the existing landfill gas blower and flare system with a new landfill gas blower and flare system including new appurtenances and controls to meet current standards. The system is designed to process the collected landfill gas from the Cambridge Waste Management site.
2. New SCADA system and controls to monitor the Landfill Gas Control Plant.

Corporate Strategic Plan:

Award of this contract meets the 2011-2014 Corporate Strategic Plan objective to develop, optimize and maintain infrastructure to meet current and projected needs under Strategic Focus Area 2, Growth Management and Prosperity.

Financial Implications:

Table with 2 columns: Description and Amount. Rows include T2015-193 (\$ 796,600), Contract Administration/Inspection (100,000), Software Development Services and Testing (80,000), Engineering – Regional (20,000), Sub-total (\$ 996,600), Plus: Applicable Net HST of 1.76% (17,200), and Total (\$1,013,800).

Note: All figures rounded to the nearest \$100.

The Region approved 2015 Ten Year Waste Management Capital Program includes a budget of \$1,065,000.00 for the Cambridge Landfill Gas Control Plant Upgrades (Project 01172) to be financed by debentures. The cost of work of \$1,013,800 is approximately 5% under budget.

The final date of acceptance for this tender is September 30, 2015.

Other Department Consultations/Concurrence:

Staff from Waste Management was consulted in the preparation of this report.

Attachments: Nil

Prepared By: Lisa Buitenhuis, Manager, Procurement/Chief Purchasing Officer

Approved By: Craig Dyer, Commissioner of Corporate Services/Chief Financial Officer



Report: COR-TRY-15-76

Region of Waterloo
Corporate Services
Treasury Services (Procurement)

To: Regional Chair Ken Seiling and Members of Regional Council

Date: August 19, 2015 **File Code:** F18-30

Subject: T2015-145 Storm System Improvements, Townline Road at Wellington
 County Road 32, City of Cambridge

Recommendation:

That the Regional Municipality of Waterloo accept the tender of G. Melo Excavating Ltd. for T2015-145 Storm System Improvements, Townline Road at Wellington County Road 32, City of Cambridge in the amount of \$428,910.00 plus all applicable taxes.

And that the Regional Municipality of Waterloo approve an increase in the project cost of \$383,570.43 gross and \$0.00 net to facilitate the work undertaken on behalf of the Ministry of Transportation.

Summary: Nil

Report:

Tenders were called for T2015-145 Storm System Improvements, Townline Road at Wellington County Road 32, City of Cambridge and were advertised in the Record, in the Daily Commercial News, on the Ontario Public Buyers Association website and on the Region's website. The tenders were opened in the presence of K. Brisbois, C. Melitzer and T. Lumgair.

The following tenders were received:

G. Melo Excavating Ltd.	Cambridge, ON	\$428,910.00
Amico Infrastructures (Oxford) Inc.	Cambridge, ON	\$459,615.00

The work of this contract includes the following:

- Construction of a storm sewer outlet at the intersection of Townline Road and Wellington County Road 32.
- Construction of the permanent, piped outlet, excavation for the new low-lying area, an oil-grit separator and other associated works.

Corporate Strategic Plan:

Award of this contract meets the 2011-2014 Corporate Strategic Plan objective to develop, optimize and maintain existing infrastructure to meet current and projected needs under Strategic Focus Area 2, Growth Management and Prosperity.

Financial Implications:

Contract T2015-145 costs are shared as follows:

Region of Waterloo – Transportation Division	\$115,800
Ministry of Transportation	<u>313,100</u>
Total	<u>\$428,900</u>

Note: All figures are rounded to the nearest \$100.

Region of Waterloo Transportation Division Costs

T2015-145	\$115,800
Regional Engineering	9,500
Consultant Engineering	9,500
Water Monitoring (GRCA Requirement)	4,900
Advertising and Printing	<u>2,000</u>
	Sub-total \$141,700
Plus: Applicable Net HST of 1.76%	<u>2,300</u>
	Total <u>\$144,000</u>

Note: All figures are rounded to the nearest \$100.

The Region of Waterloo's approved 2015 Ten Year Transportation Capital Program includes a budget of \$155,000 allocated for Storm System Improvements at Townline Road at Wellington County Road 32/Pinebush Road, City of Cambridge (project #5993) to be funded 100% from the Roads Rehabilitation Capital Reserve Fund. Based on the low tender result, the actual cost of Regional work is \$144,000 which is \$11,000 (or approximately 7%) under the project budgets.

Ministry of Transportation Costs

T2015-145	\$313,100
Regional Engineering	25,600
Consultant Engineering	25,600
Water Monitoring (GRCA Requirement)	<u>13,200</u>
	Sub-total \$377,500
Plus: Applicable Net HST of 1.76%	<u>6,200</u>
	Total <u>\$383,700</u>

Note: All figures are rounded to the nearest \$100.

The Ministry of Transportation has indicated that they have sufficient funds budgeted for this work and has asked that the work proceed on their behalf.

The final date of acceptance for this tender is September 28, 2015.

Other Department Consultations/Concurrence:

Staff from Transportation and Design and Construction were consulted in the preparation of this report.

Attachments: Nil

Prepared By: Lisa Buitenhuis, Manager, Procurement/Chief Purchasing Officer

Approved By: Craig Dyer, Commissioner of Corporate Services/Chief Financial Officer



Report: COR-TRY-15-77

Region of Waterloo
Corporate Services
Treasury Services (Procurement)

To: Regional Chair Ken Seiling and Members of Regional Council

Date: August 19, 2015 **File Code:** F18-30

Subject: **T2015-178 2015 Intersection and Other Miscellaneous Roadway Improvements**

Recommendation:

That the Regional Municipality of Waterloo accept the tender of Vista Contracting Limited for T2015-178 2015 Intersection and Other Miscellaneous Roadway Improvements in the amount of \$591,773.00 plus all applicable taxes;

And that the Regional Municipality of Waterloo approve an increase in project cost of \$305,308.75 gross and \$0.00 net to facilitate the access improvement work on Northumberland Street undertaken on behalf of 1875656 Ontario Inc.;

And that the Regional Municipality of Waterloo approve an increase in project cost of \$115,561.04 gross and \$0.00 net to facilitate the access improvement work on Dumfries Road undertaken on behalf of Jeffery Donald Sherk and Suzanne Catherine Poole;

And that the Regional Municipality of Waterloo approve an increase in project cost of \$52,746.58 gross and \$0.00 net to facilitate the access improvement work on Bleams Road undertaken on behalf of R. B. J. Schlegel Holdings Inc.;

And that the Regional Municipality of Waterloo approve an increase in project cost of \$26,474.23 gross and \$0.00 net to facilitate the multi-use trail work on Ira Needles Boulevard undertaken on behalf of the City of Kitchener.

Summary: Nil

Report:

Tenders were called for T2015-178 2015 Intersection and Other Miscellaneous Roadway Improvements and were advertised in the Record, in the Daily Commercial News, on the Ontario Public Buyers Association website and on the Region's website. The tenders were opened in the presence of F. Kosa, J. Lane and T. Lumgair.

The following tenders were received:

Vista Contracting Ltd.	Cambridge, ON	\$591,773.00
Capital Paving Inc.	Guelph, ON	\$684,975.01
Steed and Evans Limited	St. Jacob's, ON	\$784,000.00
Coco Paving Inc.	Petersburg, ON	\$826,438.28

The work under this contract includes the following:

- **Project No. 6753** – Concrete sidewalk, pedestrian refuge islands and other related work, Bridge Street West, Lexington Road to Eastbridge Boulevard, City of Waterloo.
- **Project No. 5591** – Asphalt shoulder paving and other related work for a Gravel Pit Entrance (Greenfield Aggregates, Sherk Pit), Dumfries Road, north of Greenfield Road, Township of North Dumfries on behalf of Jeffery Donald Sherk and Suzanne Catherine Poole, for Fermar Paving Limited.
- **Project No. 5593** – Asphalt shoulder paving and other related work for site entrance improvements (Williamsburg South Convenience), Bleams Road, west of Fischer-Hallman Road, City of Kitchener on behalf of R. B. J. Schlegel Holding Inc.
- **Project No. 7336** – Asphalt road widening for left turn lane, concrete sidewalk, curb and gutter and other related work for a site entrance (Goldmanco), Northumberland Street, Greenfield Road East to Greenfield Road West, Township of North Dumfries on behalf of 1875656 Ontario Inc.
- **Project No. 7282** – Asphalt multi-use trail and other related work for a trail connection to the adjacent City of Kitchener Huck Park, Ira Needles Boulevard, south of C.N.R. railway, City of Kitchener. Costs to be shared with the City of Kitchener.

Corporate Strategic Plan:

Award of this contract meets the 2011-2014 Corporate Strategic Plan objective to develop, optimize and maintain existing infrastructure to meet current and projected needs under Strategic Focus Area 2, Growth Management and Prosperity.

Financial Implications:

Contract T2015-178 costs are shared as follows:

Region of Waterloo – Transportation Division Costs	\$224,400
1875656 Ontario Inc.	212,900
Jeffery Donald Sherk and Suzanne Catherine Poole	90,600
R. B. J. Schlegel Holdings Inc.	41,900
City of Kitchener	<u>21,900</u>
Total	<u>\$591,700</u>

Note: All figures are rounded to the nearest \$100.

Region of Waterloo – Transportation Division Costs

T2015-178	\$224,400
Regional Engineering	63,700
Geotechnical Consulting	5,700
Advertising and Printing	<u>1,900</u>
Sub-total	\$295,700
Plus: Applicable Net HST of 1.76%	<u>4,000</u>
Total	<u>\$299,700</u>

Note: All figures are rounded to the nearest \$100.

The Region of Waterloo's approved 2015 Transportation Capital Program includes a budget of \$450,000 for Regional Road 52 (Bridge Street) Lexington Road to East Bridge Blvd. (Project # 6753) to be funded 100% from the Development Charge Reserve Fund. Based on the low tender result, the Transportation Division's share of the estimated costs for the work on Bridge Street and additional work on Northumberland Street is \$274,000. The cost for the sidewalk on Bridge Street is lower than budgeted in the 2015 Transportation Capital Program as property required for additional sidewalk filling has not yet been acquired. The additional sidewalk infilling will be completed as part of future programs and budgets.

The Region of Waterloo's approved 2015 Transportation Capital Program includes a budget of \$695,000 for Regional Road 70 (Ira Needles Blvd), Highview Dr. to Erb St. (Project #7282) to be funded 100% from the Development Charge Reserve Fund. An amount of \$26,000 has been allocated for the Region's portion of the costs associated with the asphalt multi-use trail connection to the adjacent City of Kitchener Huck Park, Ira Needles Boulevard. The remaining funds are allocated for road widening and improvements on Ira Needles Blvd. to be completed under future Regional contracts.

1875656 Ontario Inc. Costs

T2015-178	\$212,900
Regional Engineering	32,300
Consultant Engineering	21,700
Geotechnical Consulting	5,400
Advertising and Printing	<u>1,800</u>
	Sub-total \$274,100
Plus: Applicable HST of 13%	<u>31,200</u>
	Total <u>\$305,300</u>

Note: All figures are rounded to the nearest \$100.

1875656 Ontario Inc. has submitted a Letter of Credit to the Region in the amount of \$213,000 as security for all costs of the Region to construct access improvements to their commercial site at Northumberland Street and Greenfield Road East in the Township of North Dumfries. Based on the low tender result, 1875656 Ontario Inc.'s share of the estimated cost for the Northumberland Street access improvements portion of the work is \$305,300. The estimated cost of the work is \$92,300 over the current security provided. As part of the site plan approval, 1875656 Ontario Inc. has entered into an agreement with the Region to pay all costs of the Region to construct the access improvements on Northumberland Street and to provide additional securities as necessary. Should 1875656 Ontario Inc. not provide the necessary increase in securities required prior to construction start, the work will be removed from the contract at no cost to the Region.

Jeffery Donald Sherk and Suzanne Catherine Poole Costs

T2015-178	\$90,600
Regional Engineering	9,800
Geotechnical Consulting	2,300
Advertising and Printing	<u>800</u>
	Sub-total \$103,500
Plus: Applicable HST of 13%	<u>12,100</u>
	Total <u>\$115,600</u>

Note: All figures are rounded to the nearest \$100.

On behalf of Jeffery Donald Sherk and Suzanne Catherine Poole, Fermar Paving Limited has submitted a certified cheque to the Region in the amount of \$115,600 as security for the estimated costs of the Region to construct an aggregate pit access on Dumfries Road at the Sherk Gravel Pit north of Greenfield Road in the Township of North Dumfries.

R. B. J. Schlegel Holdings Inc. Costs

T2015-178	\$41,900
Regional Engineering	3,800
Geotechnical Consulting	1,100
Advertising and Printing	<u>400</u>
	Sub-total \$47,200
Plus: Applicable HST of 13%	<u>5,600</u>
	Total <u>\$52,800</u>

Note: All figures are rounded to the nearest \$100.

R. B. J. Schlegel Holdings Inc. has submitted a Letter of Credit to the Region in the amount of \$52,800 as security for all costs of the Region to construct access improvements to their Williamsburg Convenience site at Bleams Road and Fischer-Hallman Road in the City of Kitchener.

August 19, 2015

Report: COR-TRY-15-77

City of Kitchener Costs

T2015-178	\$21,900
Regional Engineering	3,400
Geotechnical Consulting	600
Advertising and Printing	<u>200</u>
	Sub-total \$26,100
Plus: Applicable Net HST of 1.76%	<u>400</u>
	Total <u>\$26,500</u>

Note: All figures are rounded to the nearest \$100

The City of Kitchener has sufficient approved funds in their 2015 budget for their portion of the contract work and has asked that the Region proceed on their behalf.

The final date of acceptance for this tender is September 5, 2015.

Other Department Consultations/Concurrence:

Staff from the Region's Transportation Division was consulted in the preparation of this report.

Attachments: Nil

Prepared By: Lisa Buitenhuis, Manager, Procurement/Chief Purchasing Officer

Approved By: Craig Dyer, Commissioner of Corporate Services/Chief Financial Officer



Report: COR-TRY-15-78

Region of Waterloo
Corporate Services
Treasury Services (Procurement)

To: Regional Chair Ken Seiling and Members of Regional Council

Date: August 19, 2015 **File Code:** F18-30

Subject: T2015-142 150 Main Street, Parking Area Rehabilitation

Recommendation:

That the Regional Municipality of Waterloo accept the tender of JB Construction Management Corporation for T2015-142 - 150 Main Street, Parking Area Rehabilitation in the amount of \$1,113,228.60 plus all applicable taxes.

Summary: Nil

Report:

Tenders were called for T2015-142 - 150 Main Street, Parking Area Rehabilitation project and were advertised in the Record, on the Ontario Public Buyers Association website and on the Region's website. The tenders were opened in the presence of A. Dooling, R. van den Berg and A. Donner.

The following tenders were received:

JB Construction Management Corporation	Paris, ON	\$1,113,228.60
410754 Ontario Limited o/a Sousa Concrete	Branchton, ON	\$1,217,950.50
Steed And Evans Limited	St. Jacobs, ON	\$1,418,584.07
Capital Paving Inc.	Guelph, ON	\$1,427,000.00

The work under this contract includes the following: reconstruction of complete pavement structure, repair and replacement of retaining wall structure, installation of de-icing system on the parking garage ramp, partial replacement of concrete sidewalks and curbs, replacement of parking lot light fixtures and installation of electric vehicle charging

stations. Components being replaced or reconstructed are currently in poor condition and have reached the end of their useful life cycles.

Corporate Strategic Plan:

Award of this contract meets the 2011-2014 Corporate Strategic Plan objective to develop, optimize and maintain infrastructure to meet current and projected needs under Strategic Focus Area 2, Growth Management and Prosperity.

Financial Implications:

T2015-142	\$1,113,200
Consulting	<u>49,700</u>
	Sub-total \$1,162,900
Plus: Applicable Net HST of 1.76%	<u>20,500</u>
	Total <u>\$1,183,400</u>

Note: All figures are rounded to the nearest \$100.

The Region's approved 2015 Facility Asset Renewal Capital Program includes a budget of \$3,822,000 for 150 Main Street Cambridge, Building Maintenance (project # 74500) to be funded from debentures. An amount of \$1,200,000 has been allocated for this work.

The final date of acceptance for this tender is September 13, 2015.

Other Department Consultations/Concurrence:

Staff from Facilities Project Management was consulted in the preparation of this report.

Attachments: Nil

Prepared By: Lisa Buitenhuis, Manager, Procurement/Chief Purchasing Officer

Approved By: Craig Dyer, Commissioner of Corporate Services/Chief Financial Officer



Report: COR-TRY-15-79

Region of Waterloo
Corporate Services
Treasury Services (Procurement)

To: Regional Chair Ken Seiling and Members of Regional Council
Date: August 19, 2015 **File Code:** F18-30
Subject: **T2015-131 HVAC Upgrades at the Pinebush, Shades Mill and Turnbull Water Treatment Plants**

Recommendation:

That the Regional Municipality of Waterloo accept the tender of Dean-Lane Contractors Inc. for T2015-131 HVAC Upgrades at the Pinebush, Shades Mill and Turnbull Water Treatment Plants in the amount of \$695,000.00 plus all applicable taxes.

Summary: Nil

Report:

Tenders were called for T2015-131 HVAC Upgrades at the Pinebush, Shades Mill and Turnbull Water Treatment Plants and were advertised in the Record, on the Ontario Public Buyers Association website and on the Region's website. The tenders were opened in the presence of T. Lumgair, A. Gingerich and R. van den Berg.

The following tenders were received:

Dean-Lane Contractors Inc.	Kitchener, ON	\$695,000.00
K&L Construction (Ontario) Inc.	London, ON	\$908,764.00
Velocity Mechanical Inc.	Kitchener, ON	\$916,000.00
M.J.K. Construction Inc.	Mississauga, ON	\$983,296.00

The work of this tender includes the replacement and upgrade of the existing HVAC system within the Pinebush, Shades Mill and Turnbull Water Treatment Plants. The existing air handling units are original to the building, are undersized and are not providing adequate ventilation or dehumidification for the building. This is resulting in indoor air quality complaints and condensation issues which is causing corrosion and rusting of process piping and equipment. Larger, more efficient units will provide better ventilation and humidity controls. Other upgrades include new exhaust fans, chlorine detection and the installation of a building automation system for each site.

Corporate Strategic Plan:

Award of this contract meets the 2011-2014 Corporate Strategic Plan objective to develop, optimize and maintain infrastructure to meet current and projected needs under Strategic Focus Area 2, Growth Management and Prosperity.

Financial Implications:

T2015-131	\$695,000
Plus: Applicable Net HST of 1.76%	<u>12,200</u>
	Total <u>\$707,200</u>

Note: All figures are rounded to the nearest \$100.

The Region's approved 2015 Water Capital Program includes a budget of \$1,345,000 for Water Services Building Upgrades (project # 04112) to be funded from the Water Reserve Fund (74%, \$995,300) and Regional Development Charges (26%, \$349,700). The budget includes an allowance of \$750,000 for this work. The cost of work is \$42,800 (approximately 5.7%) under budget.

The final date of acceptance for this tender is November 14, 2015.

Other Department Consultations/Concurrence:

Staff from Facilities Project Management was consulted in the preparation of this report.

Attachments: Nil

Prepared By: Lisa Buitenhuis, Manager, Procurement/Chief Purchasing Officer

Approved By: Craig Dyer, Commissioner of Corporate Services/Chief Financial Officer



Report: COR-TRY-15-80

Region of Waterloo
Corporate Services
Treasury Services (Procurement)

To: Regional Chair Ken Seiling and Members of Regional Council

Date: August 19, 2015 **File Code:** F18-30

Subject: T2015-187 Recoating of Mannheim East Standpipe, Mannheim Water Treatment Plant, Kitchener, ON

Recommendation:

That the Regional Municipality of Waterloo accept the tender of Jacques Daoust Coatings Management Inc. for T2015-187 Recoating of Mannheim East Standpipe, Mannheim Water Treatment Plant, Kitchener, ON in the amount of \$796,900.00 plus all applicable taxes.

Summary:

Nil

Report:

Tenders were called for T2015-187 Recoating of Mannheim East Standpipe and were advertised in the Record, in the Daily Commercial News, on the Ontario Public Buyers Association website and on the Region's website. The tenders were opened in the presence of B. Khan, J. Borovicka and T. Lumgair.

The following tenders were received:

Jacquest Daoust Coatings Management Inc.	Cambridge, ON	\$ 796,900.00
Landmark Municipal Services ULC	Burlington, ON	\$ 993,500.00
Dupont Painting Contracting Limited	Toronto, ON	\$1,233,980.00

The work of this contract includes the following:

- Cleaning of sediments from inside the tank;
- Shrouding the entire tank;
- Removal of existing paint from inside and outside of the tank;
- Repairing and replacement of damaged and corroded steel elements;
- Recoating of the inside and outside of the tank;
- Recoating of underground valve chamber piping; and
- Upgrades to improve safety for operations staff who operate the tank.

Corporate Strategic Plan:

Award of this contract meets the 2011-2014 Corporate Strategic Plan objective to develop, optimize and maintain infrastructure to meet current and projected needs under Strategic Focus Area 2, Growth Management and Prosperity.

Financial Implications:

T2015-187	\$796,900
Consultant Engineering and Contract Administration	47,600
Regional Engineering	30,000
Advertising and Printing	<u>2,000</u>
	Sub-total \$876,500
Plus Applicable Net HST of 1.76%	<u>14,900</u>
	Total <u>\$891,400</u>

Note: All figures are rounded to the nearest \$100.

The Region's approved 2015 Water Capital Program includes a budget of \$2,568,000 in 2015 for the recoating of the Mannheim East Standpipe and the Inverness Spheroid Water Tank, to be funded from the Water Capital Reserve Fund. The budget includes an allowance of \$1,000,000 for the recoating of the Mannheim East Standpipe. The cost of work is \$108,600 (approximately 10.9%) under budget. The difference in cost between the low bidder and the other bidders is attributable to the specialized equipment that will be used by the low bidder. The remainder of the 2015 budget will be carried forward to 2016 and used for the recoating of the above ground storage facilities.

The final date of acceptance for this tender is September 26, 2015.

Other Department Consultations/Concurrence:

Water Services Staff was consulted in the preparation of this report.

Attachments: Nil

Prepared By: Lisa Buitenhuis, Manager, Procurement/Chief Purchasing Officer

Approved By: Craig Dyer, Commissioner of Corporate Services/Chief Financial Officer



Report: COR-TRY-15-81

Region of Waterloo
Corporate Services
Treasury Services (Procurement)

To: Regional Chair Ken Seiling and Members of Regional Council

Date: August 19, 2015 **File Code:** F18-30

Subject: T2015-129 Construction of Tertiary Treatment and New Outfall Contract 4, Kitchener Wastewater Treatment Plant, City of Kitchener

Recommendation:

That the Regional Municipality of Waterloo accept the tender of Maple Reinders Constructors Ltd and Ball Construction (Joint Venture) for T2015-129 Construction of Tertiary Treatment and New Outfall Contract 4, Kitchener Wastewater Treatment Plant, City of Kitchener in the amount of \$25,639,962.12 plus all applicable taxes.

Summary: Nil

Report:

Tenders were called for T2015-129 Construction of Tertiary Treatment and New Outfall Contract 4, Kitchener Wastewater Treatment Plant, City of Kitchener and were advertised in the Record, in the Daily Commercial News, on the Ontario Public Buyers Association website and on the Region's website. There had been a pre-qualification completed for this project and seven (7) proposals were received. The proposals were evaluated using pre-determined technical criteria which included corporate and financial information, organization chart, experience on similar projects, staffing and subcontracting information, health and safety policies, procedures and track record, and references. Following the qualitative evaluation, four (4) proponents were shortlisted and were invited to bid on T2015-129.

Tenders were opened in the presence of J. Markovic, M. Darmalingum, and J. Ing.

The following tenders were received:

Maple Reinders Constructors Ltd and Ball Construction (Joint Venture)	Mississauga, ON	\$25,639,962.12
Graham Construction and Engineering LP and Harbridge & Cross Ltd (Joint Venture)	Mississauga, ON	\$27,288,000.00
Treatment 3 Contractors (Joint Venture of Kenaidan Contracting Ltd & Barclay Construction Group Inc.)	Mississauga, ON	\$28,078,600.00

The work under this contract includes the following:

1. Construction of a new Tertiary Treatment Building and associated cloth disk filter equipment; new influent pipes and chambers and associated equipment; new associated HVAC; electrical and supervisory control and data acquisition (SCADA) systems; and site civil and landscaping works.
2. Construction of a new effluent outfall; demolition of the existing effluent outfall; and all associated site civil and landscaping works.

The following approvals and permits are in the final stages of the approval process and are expected to be received before the start of construction in September 2015: the Ministry of the Environment and Climate Change's (MOECC) Environmental Compliance Approval (ECA) for Sewage; MOECC's Permit to Take Water; Approval from the Grand River Conservation Authority; and the City of Kitchener's site plan approval and building permit.

The authorization from the Ministry of Natural Resources and Forests through crown easement for construction of the new outfall is expected by end of 2015. Construction of the new outfall will not start until July 2016.

This tender meets the joint venture conditions of the memorandum of local amendment with the Carpenters Union and the Grand Valley Construction Association. Subject to Council approval, construction is expected to commence in September 2015 with completion expected in August 2017.

Corporate Strategic Plan:

Award of this contract meets the 2011-2014 Corporate Strategic Plan objective to develop, optimize and maintain infrastructure to meet current and projected needs under Strategic Focus Area 2, Growth Management and Prosperity.

Financial Implications:

T2015-129	\$25,640,000
Consulting Engineering	2,000,000
Regional Engineering	250,000
Geotechnical Inspections and Material Testing	92,700
Permits and Approvals	<u>66,000</u>
	Sub-total \$28,048,700
Plus: Applicable Net HST of 1.76%	<u>488,100</u>
	Total <u>\$28,536,800</u>

Note: All figures are rounded to the nearest \$100.

The Region's approved 2015-2024 Wastewater Capital Program includes a total budget of \$288,197,000 for the Kitchener Wastewater Treatment Plant upgrades (project #08797) between 2015 and 2024 financed from the Wastewater Reserve Fund (72.8%; \$209,807,000) and Regional Development Charges (27.2%; \$78,390,000). Of this amount, \$31,400,000 is allocated for the Tertiary Treatment and New Outfall Contract 4. The cost of work is \$2,863,200 (approximately 9%) under budget. This under spending is attributable primarily to very competitive bidding.

The need for debenture financing for the user rate and/or development charge portions of the project will be assessed as part of the 2016 budget process.

The final date of acceptance for this proposal is September 29, 2015.

Other Department Consultations/Concurrence:

Staff from Water Services was consulted in the preparation of this report.

Attachments: Nil

Prepared By: Lisa Buitenhuis, Manager, Procurement/Chief Purchasing Officer

Approved By: Craig Dyer, Commissioner of Corporate Services/Chief Financial Officer



Report: COR-TRY-15-82

Region of Waterloo
Corporate Services
Treasury Services (Procurement)

To: Regional Chair Ken Seiling and Members of Regional Council

Date: August 19, 2015 **File Code:** F18-30

Subject: T2015-158 Galt Wastewater Treatment Plant – Plant B Secondary Clarifier Mechanism Replacements

Recommendation:

That the Regional Municipality of Waterloo accept the tender of Bestco Construction (2005) Ltd. for T2015-158 Galt Wastewater Treatment Plant - Plant B Secondary Clarifier Mechanism Replacements, City of Cambridge, in the amount of \$2,854,983.00 plus all applicable taxes;

And that the Regional Municipality of Waterloo increase the scope of Associated Engineering's Purchase Order 171699 to include consulting engineering services for contract administration and site inspection in the amount of \$96,180.00 plus all applicable taxes for a total cost of \$191,057.20 plus all applicable taxes.

Summary:

Nil

Report:

Tenders were called for T2015-158 Galt Wastewater Treatment Plant (WWTP) - Plant B Secondary Clarifier Mechanism Replacements and were advertised in the Record, in the Daily Commercial News, on the Ontario Public Buyers Association website and on the Region's website. The tenders were opened in the presence of A. Dooling, C. Gatchene and N. Morris.

The following tenders were received:

Bestco Construction (2005) Ltd.	Ancaster, ON	\$2,854,983.00
StuCor Construction Ltd.	Jordan Station, ON	\$2,927,340.00

*One bid was disqualified.

The Galt WWTP, located at 230 Water Street South in the City of Cambridge, requires upgrades to the existing Plant B secondary clarifier mechanisms at the plant. The Region retained an engineering consulting firm to perform a full plant facility assessment of the Galt WWTP in 2012. Among the recommended primary actions is the replacement of the two (2) Plant B secondary clarifier mechanisms due to the age and type of the clarification equipment. Additional facility upgrades to replace leaking, large diameter sluice gate valves have been included in the scope of this contract, and requires specialized equipment and a temporary pumping system to isolate the wastewater process area in order to complete the work.

Regional Council approved the pre-purchase of the Galt WWTP Plant B secondary clarifier mechanisms at the August 20, 2014 Council Meeting (Report F-14-104) in the amount of \$649,800, plus all applicable taxes. The new clarifier mechanisms were pre-selected in order for the consultant to complete the detailed design to suit the selected equipment and ensure construction could proceed in a timely manner due to the long lead time associated with the manufacturing of the equipment. The selected clarifier mechanisms will be incorporated by means of a Novation Agreement into the general construction contract for the Plant B secondary clarifier upgrades at the Galt WWTP, and are included in the total price of the tenders received for T2015-158. The delivery of the pre-purchased equipment is scheduled for December 2015.

Subject to Council approval, construction work under the general construction contract for the new Plant B secondary clarifier upgrades is expected to commence in October 2015 with completion expected by June 2016.

Extension of Consulting Engineering Services

In September 2013, the Region evaluated proposals submitted by four (4) consultants to provide engineering services for the preliminary and detailed design work associated with the replacement of the Galt WWTP Plant B secondary clarifier mechanisms. Based on the combination of quality, equity and price factors, Associated Engineering was the successful proponent and was awarded the design work. The total cost for this work was \$94,877.20 (Purchase Order #171699).

Contract administration services were not included in the scope of the original Request for Consulting Services, as the completion of the design work would be necessary to better define the level of effort required in the construction phase of the project. Upon completion of the design, the Region requested a proposal for contract administration and construction inspection services from Associated Engineering. The Proposal was reviewed by Water Services staff and was determined to provide good value to the Region for the additional engineering services at a cost of \$96,180.00 plus all applicable taxes. The grand total of this assignment will be \$191,057.20 plus applicable taxes.

The extension of the Consultant's services for this project is consistent with Purchasing By-Law-04-093, Part VII – Purchasing by Negotiation, 21 (1) (g), which states “the extension of an existing or previous contract would prove more cost effective or beneficial for the Region.”

Corporate Strategic Plan:

Award of this contract meets the 2011-2014 Corporate Strategic Plan objective to protect the quality and quantity of our drinking water sources under Strategic Focus Area 1, Environmental Sustainability.

Financial Implications:

Region of Waterloo Transportation & Environmental Services Division Costs

T2015-158	\$2,855,000
Consulting Engineering Services	<u>96,200</u>
Sub-total	\$2,951,200
Plus: Applicable Net HST of 1.76%	<u>51,900</u>
Total	<u>\$3,003,100</u>

Note: All figures are rounded to the nearest \$100.

The Region's approved 2015 Wastewater Capital Program includes a budget of \$1,900,000 in 2015 and \$1,940,000 in 2016 for the Cambridge Infrastructure Upgrades (project # 08308), to be funded by the Wastewater Reserve Fund (75%; \$2,880,000) and Regional Development Charges (25%; \$960,000). The budget includes an allowance of \$2,200,000 for the Galt WWTP Plant B secondary clarifier upgrades, including the supply of the pre-purchased clarifier mechanisms, as well as the additional upgrade work to replace the large diameter gate valves. The cost of work is \$803,100 (approximately 36.5%) over the consultant's estimated amount. The consultant's cost estimate was based on similar recent tenders and budgetary pricing requests from industry suppliers. As only two bids were received for this work, the over spending could partly be attributed

to a lack of competitive pricing. The shortfall in funds will be funded from the \$3.840 million budget for Cambridge Infrastructure Upgrades (project #08308). Other infrastructure work within this project will be prioritized and deferred throughout 2016 to accommodate the shortfall.

The need for debenture financing for the user rate and/or development charge portions of the project will be assessed as part of the 2016 budget process.

The final date of acceptance for this tender is November 11, 2015.

Other Department Consultations/Concurrence:

Staff from Water Services was consulted in the preparation of this report.

Attachments: Nil

Prepared By: Lisa Buitenhuis, Manager, Procurement/Chief Purchasing Officer

Approved By: Craig Dyer, Commissioner of Corporate Services/Chief Financial Officer



Report: COR-TRY-15-83

Region of Waterloo
Corporate Services
Treasury Services (Procurement)

To: Regional Chair Ken Seiling and Members of Regional Council
Date: August 19, 2015 **File Code:** F18-30
Subject: **T2015-196 Hespeler Wastewater Treatment Plant Prefabricated Building and Electrical Duct Banks**

Recommendation:

That the Regional Municipality of Waterloo accept the tender of STM Construction Limited for T2015-196 Hespeler Wastewater Treatment Plant Prefabricated Building and Electrical Duct Banks, in the City of Cambridge in the amount of \$258,900.00 plus all applicable taxes.

Summary:

Nil

Report:

Tenders were called for the T2015-196 Hespeler Wastewater Treatment Plant Prefabricated Building and Electrical Duct Banks and were advertised in the Record, on the Ontario Public Buyers Association website and on the Region's website. The tenders were opened in the presence of A. Dooling, C. Gatchene, and A. Batista.

The following tenders were received:

STM Construction Limited	Brantford, Ontario	\$258,900.00
Bestco Construction (2005) Ltd.	Ancaster, Ontario	\$306,124.00

The Region of Waterloo is upgrading and standardizing the wastewater supervisory control and data acquisition (SCADA) systems at all of its wastewater treatment plants and sewage pumping stations as recommended by the 2007 Wastewater Treatment

Master Plan. In 2014, the Region completed the Preliminary Design to upgrade the SCADA Systems at nine (9) wastewater treatment facilities and six (6) wastewater pumping stations throughout the Region of Waterloo.

The SCADA Preliminary Design prioritized SCADA System Upgrades at the Hespeler Wastewater Treatment Plant to start in 2014 with construction scheduled for completion in 2016. Detailed design was completed in May 2015. Construction will occur in two phases. Phase one is comprised of civil site upgrades including a prefabricated chemical building with foundation, concrete encased electrical duct banks and sludge pumping room upgrades to meet the Ontario Electrical Safety Code. Phase two includes electrical, mechanical, and instrumentation upgrades. Phase one of the project is required prior to phase two of the project and the sludge pumping room addresses health and safety concerns.

Tender T2015-196 represents phase one of the project or the civil components of the proposed upgrades. Phase two is expected to be awarded later in 2015 with construction anticipated in 2016.

Subject to Council approval, construction work for T2015-196 will commence in September 2015 and be completed by December 2015.

Corporate Strategic Plan:

Award of this contract meets the 2011-2014 Corporate Strategic Plan objective to protect the quality and quantity of our water sources under Strategic Focus Area 1, Protect and Enhance the Environment.

Financial Implications:

Region of Waterloo Transportation & Environmental Services Division Costs

T2015-196	\$258,900
Plus: Applicable Net HST of 1.76%	<u>4,600</u>
Total	<u><u>\$263,500</u></u>

Note: All figures are rounded to the nearest \$100.

The Region's approved 2015 Wastewater Capital Program includes a budget of \$1,287,000 for the SCADA System Project (Project # 08279) in 2015, to be funded from the Wastewater Reserve Fund (73.7%; \$948,519) and the Development Charges Reserve Fund (26.3%; \$338,481).

The budget includes an allowance of \$126,000 for the Hespeler Wastewater Treatment Plant Prefabricated Building and Electrical Duct Banks project. The cost of work is

\$137,500 (109%) over the consultant's estimated amount. The Consultant's cost estimate was based on similar recent tenders in Southwestern Ontario, pricing from equipment suppliers, and quotes from prefabricated building manufacturers. The higher cost could partly be attributed to a lack of competitive pricing and availability of qualified contractors during peak construction season. The shortfall in funds will be funded from the SCADA Systems Project (Project #08279). Other infrastructure projects within this account will be prioritized and deferred throughout 2016 to accommodate the shortfall.

The final date of acceptance for this tender is September 21, 2015.

Other Department Consultations/Concurrence:

Staff from Water Services was consulted in the preparation of this report.

Attachments: Nil

Prepared By: Lisa Buitenhuis, Manager, Procurement/Chief Purchasing Officer

Approved By: Craig Dyer, Commissioner of Corporate Services/Chief Financial Officer



Report: COR-TRY-15-84

Region of Waterloo
Corporate Services
Treasury Services (Procurement)

To: Regional Chair Ken Seiling and Members of Regional Council

Date: August 19, 2015 **File Code:** F18-30

Subject: T2015-122 Waterloo Regional Housing Kitchen Replacement

Recommendation:

That the Regional Municipality of Waterloo accept the tender of 633383 Ontario Inc. o/a Amato & Son for T2015-122 – Waterloo Regional Housing Kitchen Replacement in the amount of \$364,100.00 plus all applicable taxes.

Summary: Nil

Report:

Tenders were called for T2015-122 – Waterloo Regional Housing Kitchen Replacement and were advertised in the Record, in the Daily Commercial News, on the Ontario Public Buyers Association website and on the Region's website. The tenders were opened in the presence of A. Vollmer, A. Donner and T. Lumgair.

The following tenders were received:

633383 Ontario Inc. o/a Amato & Son	Woodbridge, ON	\$364,100.00
Tower Restoration Ltd.	Toronto, ON	\$414,500.00

While seventeen (17) bid packages were requested, only two bids were received. Staff has reviewed the pricing submitted and feels the price is fair and reasonable. The Region typically does not receive numerous bids for kitchen replacements.

The work under this contract includes the removal and replacement of kitchen cupboards, countertops, backsplashes, sink/faucets, paint and installation of new light

fixtures for 63 units in Waterloo Region Housing (WRH) buildings located at Thaler Ave., Rutherford Dr., Kinzie Ave., and Strasburg Road in Kitchener. Components being replaced are currently in poor condition and have reached the end of their useful life. Separate pricing was requested within the tender documents for flooring replacement since this is also in poor condition and recommended for replacement. The inclusion of replacement flooring did not change the low bidder. Replacement flooring costs are included in the tender cost presented below and the tender cost is within the overall project budget.

The work is expected to be complete by October 2015.

Corporate Strategic Plan:

Award of this contract meets the 2011-2014 Corporate Strategic Plan objective to ensure to develop, optimize and maintain infrastructure to meet current and projected needs under Strategic Focus Area 2, Growth Management and Prosperity.

Financial Implications:

T2015-122	\$364,100
Plus: Applicable Net HST of 1.76%	<u>6,400</u>
Total	<u>\$370,500</u>

Note: All figures are rounded to the nearest \$100.

The Region's approved 2015 WRH Capital Program includes a budget of \$7,225,000 funded through a combination of federal grants (16%; \$1,159,000), revenue (taxation) (4%; \$277,000) and the Housing/Lifecycle Reserve Fund (80%; \$5,789,000). An amount of \$426,200 has been allocated for the WRH Kitchen Replacement and the cost of work is \$55,700 (approx. 13%) under budget. The majority of underspending can be attributed to the recommended bidder's extensive knowledge of this type work in the Region as they have completed several projects of this type.

The final date of acceptance for this tender is September 18, 2015.

Other Department Consultations/Concurrence:

Staff from Facilities Management was consulted in the preparation of this report.

Attachments: Nil

Prepared By: Lisa Buitenhuis, Manager, Procurement/Chief Purchasing Officer

Approved By: Craig Dyer, Commissioner of Corporate Services/Chief Financial Officer



Report: COR-TRY-15-85

**Region of Waterloo
Corporate Services
Treasury Services (Procurement)**

To: Regional Chair Ken Seiling and Members of Regional Council
Date: August 19, 2015 **File Code:** F18-30
Subject: T2015-198 Generator Replacement at 250 Strasburg Rd, Kitchener, ON

Recommendation:

That the Regional Municipality of Waterloo accept the tender of Sheridan Electric Services Ltd. for T2015-198 Generator Replacement at 250 Strasburg Rd., Kitchener, ON in the amount of \$525,836.00 plus all applicable taxes.

Summary: Nil

Report:

Tenders were called for T2015-198 Generator Replacement at 250 Strasburg Rd., Kitchener, ON and were advertised in the Record, on the Ontario Public Buyers Association website and on the Region’s website. The tenders were opened in the presence of T. Lumgair, A. Donner and C. Meleca.

The following tenders were received:

Sheridan Electric Services Ltd	Mississauga, ON	\$525,836.00
Roberts Onsite Inc.	Kitchener, ON	\$548,971.00

The work under this contract includes installation of a new 750 Kw emergency generator at 250 Strasburg Rd., Kitchener (Grand River Transit Facility) as well as removal of the existing 500 Kw emergency generator which failed unexpectedly. A rental generator has been in place while potential solutions to the mechanical failure were investigated. The new generator will provide emergency and standby power for the expanded Strasburg Road Facility as well as covering the original loads from the 500 Kw generator. Staff determined that the original generator should be replaced with a 750 Kw model rather

than repairing the 500 Kw generator and adding an additional smaller generator. The single higher capacity generator will ensure that reliable standby and emergency power is available for the Strasburg Road Facility.

Corporate Strategic Plan:

Award of this contract meets the 2011-2014 Corporate Strategic Plan objective to develop, optimize and maintain infrastructure to meet current and projected needs under Strategic Focus Area Focus Area 2, Growth Management and Prosperity.

Financial Implications:

T2015-198	\$525,800
Plus: Applicable Net HST of 1.76%	<u>9,300</u>
	Total <u>\$535,100</u>

Note: All figures rounded to the nearest \$100.

The Region's approved 2015 GRT Capital Budget includes \$689,000 for capital maintenance at the Strasburg Road Facility (Project #73021) to be funded from Transit Capital Reserve Fund (20%; \$139,000) and debentures (80%; \$550,000). The Insurance Reserve Fund will cover \$148,200 of the project cost (the estimated cost to repair the 500 Kw generator). The remaining cost of \$386,900 will be funded by regional debentures.

The final date of acceptance for this tender is December 19, 2015.

Other Department Consultations/Concurrence:

Staff from Facilities Management were consulted in the preparation of this report.

Attachments: Nil

Prepared By: Lisa Buitenhuis, Manager, Procurement/Chief Purchasing Officer

Approved By: Craig Dyer, Commissioner of Corporate Services/Chief Financial Officer

The Regional Municipality of Waterloo

Community Services Committee

Summary of Recommendations to Council

The Community Services Committee recommends as follows:

1. That the Regional Municipality of Waterloo enter into an Assignment and Assumption Agreement with the Waterloo Catholic District School Board and Muslim Association of Canada wherein the day nursery funding agreement between the Region and Waterloo Catholic District School Board for the former St. Joseph Elementary school is assigned to the Muslim Association of Canada, pursuant to report CSD-CHS-15-10, dated August 11, 2015.
2. That the Regional Municipality of Waterloo amend current service agreements with the Waterloo Region District School Board and the Waterloo Catholic District School Board to incorporate all school sites offering extended day programs effective September 1, 2015;

And That the Regional Municipality of Waterloo amend current service agreements with Conestoga College Institute of Technology and Advanced Learning, 299 Doon Valley Drive, Kitchener, ON N2G 4M4; Creative Beginnings Child Care Centre, 1140 Snyder's Rd. West, Baden, ON N3A 3L3; Jacob Hespeler Child Care Services, 640 New Hampshire Street, Waterloo, ON N2K 0A5, for the purposes of offering youth development programs as outlined in report CSD-CHS-15-09, dated August 11, 2015.

3. That the Regional Municipality of Waterloo enter into a funding contract effective September 1, 2015 with Cambridge Christian School Society, operated as Cambridge Christian School Preschool, located at 229 Myers Road, Cambridge, Ontario, as outlined in report CSD-CHS-15-11, dated August 11, 2015.
4. That the Regional Municipality of Waterloo approve the 2016 response time targets as outlined in Appendix 1, in accordance with Ambulance Act, O. Reg. 267/08, amending O. Reg. 257/00, under Part VII, Response Time Performance Plans, Sections 22-24, as outlined in report PHE-PSV-15-07 dated August 11, 2015.

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5. That the Regional Municipality of Waterloo increase the 2015 operating budget for Public Health by \$375,000 gross and \$0 net for the Healthy Kids Community Challenge to be funded by the Ministry of Health and Long Term Care;

And That the Regional Municipality of Waterloo increase the staff complement for Public Health by 1.0 full time equivalent for the period September 1, 2015 to March 31, 2018 for the Healthy Kids Community Challenge, as outlined in report PHE-HLV-15-03 dated August 11, 2015.

6. That the Regional Municipality of Waterloo approve the following actions with regard to the Region of Waterloo's Affordable Housing Strategy and Investment in Affordable Housing (IAH) (2014 Extension) Years 2 to 4 funding allocation, as outlined in report CSD-HOU-15-15, dated August 11, 2015:
 - a) Approve the Affordable Housing Strategy –Request for Proposals R2015-22: Recommended Priority Projects as detailed in Attachment 1;
 - b) Authorize the Director, Housing Services, to execute and deliver all documentation required by the Province of Ontario and the Region of Waterloo for the purpose of funding the recommended Priority Project proponents as shown in Attachment 1 and to finalize the funding and conditions with the proponents; and
 - c) Authorize the Commissioner, Community Services, to execute such agreements and documentation in a form satisfactory to the Regional Solicitor, as may be required to process the advance of funding to the recommended Priority Project proponents.
7. That the Regional Municipality of Waterloo take the following action regarding a proposed loan agreement for Region of Waterloo Community Housing Inc. (ROWCHI) as outlined in report CSD-HOU-15-17/COR-TRY-15-74, dated August 11, 2015:
 - a) Enter into and execute an agreement with ROWCHI, a community housing provider owned by the Region of Waterloo, for an interest free loan to assist with capital needs in an amount not to exceed \$180,000 and such other documentation as may be required to secure the loan, with the form of the loan agreement and other documentation to be satisfactory to the Region's Chief Financial Officer and the Regional Solicitor;
 - b) Provide the interest-free loan through the Region's Housing Reserve Fund; and
 - c) Require the loan to be secured by a mortgage registered on title for 199

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Elm Ridge Drive, Kitchener with consent obtained from the mortgagee for ROWCHI Inc. for the mortgage registration in a form satisfactory to the Regional Solicitor.

August 11, 2015

The Regional Municipality of Waterloo

Administration and Finance Committee

Summary of Recommendations to Council

The Administration and Finance Committee recommends as follows:

1. That the Regional Municipality of Waterloo dismiss the Complaint of Puddicombe House Inc./2464476 Ontario Inc., dated June 2, 2015, attached as Appendix "A," in regards to the Regional Certification of Development Charges WIL-0007-15, pursuant to Report COR-FSD-15-13, dated August 11, 2015.
2. That the Council of the Regional Municipality of Waterloo declare the Regional Councillor – Kitchener seat formerly held by Wayne Wettlaufer vacant in accordance with the "Municipal Act, 2001";

And That the filling of the vacancy be referred to the August 19, 2015 Regional Council meeting for a decision on the options presented in Report PDL-CAS-15-06.

3. That the Regional Municipality of Waterloo approve a one-time capital grant in the amount of \$25,000 for Shalom Counselling Services Incorporated to be funded from the Capital Levy Reserve Fund, as outlined in report COR-TRY-15-73 dated August 11, 2015.

Conflict: S. Shantz

4. That the Region of Waterloo take the following action with respect to Bill 73 – Smart Growth for our Communities Act, 2015:
 - a. Indicate its support for the principle that "growth should pay for growth"
 - b. Endorse the proposed amendments to the Development Charges Act, 1997 that:
 - i. Add transit to the list of services that are not subject to a mandatory 10% deduction
 - ii. Allow the use of a planned level of service for prescribed services
 - iii. Allow development charge recoveries for waste diversion
 - c. Urge the Province to broaden the application of development charges by amending Bill 73 in order to:

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- i. Eliminate the mandatory 10% deduction for all other services
- ii. Delete the list of ineligible municipal services
- d. Request the Province to:
 - i. Delete Subsection 2(3) of Bill 73 that would allow the Province through regulations to mandate the use of area-specific development charges
 - ii. Add Transit to Subsection 5(5) to include public transit in the list of services for which Development Charges may be collected at the time of subdivision agreement
 - iii. Delete Subsection 5(c.2) of Bill 73 to remove the requirement to complete an Asset Management Plan in conjunction with the Development Charges Background Study
 - iv. Delete Section 8 of Bill 73, which would prevent municipalities from imposing charges on development other than the charges permitted by the Development Charges Act, and provide the Minister with broad powers of investigation into a municipality's affairs, potentially at the municipality's cost
 - v. Repeal Section 4 of the Development Charges Act to remove mandatory exemptions for industrial expansions
 - vi. Repeal Subsection 62(2) of the Development Charges Act to remove the requirement that new Development Charge bylaws must be enacted within 18 months of the changes coming into force
 - vii. Circulate draft regulations to the Development Charges Act to stakeholders for public consultation
- e. Request the Province commence a review of the role of the Ontario Municipal Board now in order to properly address the full range of issues faced by municipalities in responding to the requirements of a changing Provincial policy environment
- f. Request the Province to amend Bill 73 so that conformity updates to official plans approved by the Province be exempt from appeals in their entirety
- g. Forward this report to the Minister of Municipal Affairs and Housing, the Municipal Finance Officers' Association of Ontario and the Association of Municipalities of Ontario. [COR-FSD-15-14/PDL-LEG-15-49]

August 11, 2015

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The Regional Municipality of Waterloo

Planning and Works Committee

Summary of Recommendations to Council

The Planning and Works Committee recommends as follows:

1. That the Regional Municipality of Waterloo approve the following bid options for inclusion in the bidding documents for the next Region wide curbside waste collection contract, commencing March 6th, 2017:

- Bid Option 1: provision of curbside collection services provided under one contract for the entire Region (Tri-cities and Townships combined) by a single contractor;

Or the combined bid options of:

- Bid Option 2a): provision of curbside collection services provided under one contract for the Tri-cities only (Cambridge, Kitchener and Waterloo) by a single contractor; and
- Bid Option 2b): provision of curbside collection services under on contract for the Townships only (North Dumfries, Wellesley, Wilmot and Woolwich) by a single contractor.

to be determined by way of tender or RFP. [TES-WMS-15-10]

2. That Council of the Regional Municipality of Waterloo approve the expropriation of lands for the purpose of reconstruction of Sawmill Road from the Conestogo Bridge to Musselman Crescent in the Township of Woolwich, in the Region of Waterloo as detailed in report PDL-LEG-15-54 dated August 11, 2015, described as follows:

Fee Simple Partial Taking:

- 1 Part of Lots 13 and 14, North of King Street and East of Water Street, Registered Plan 601, Township of Woolwich, being Part 2 on 58R-18001; Part of PIN 22240-0207(LT) (1778 Sawmill Road, Conestogo);

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- 2 Part of Lots 12 and 13, North of King Street and East of Water Street, Registered Plan 601, Township of Woolwich, being Part 1 on 58R-18001; Part of PIN 22240-0206(LT) (1786 Sawmill Road, Conestogo);
- 3 Part of Lot 6, Registered Plan 600, Township of Woolwich, being Part 3 on 58R-18199; Part of PIN 22705-0407(LT) (1959 Sawmill Road, Conestogo);
- 4 Part of Lot 4, Registered Plan 602, Township of Woolwich, being Part 2 on 58R-18199; Part of PIN 22240-0098(LT) (1966 Sawmill Road, Conestogo);
- 5 Part of Lots 7 and 8, Registered Plan 600, Township of Woolwich, being Part 5 on 58R-18199; Part of PIN 22705-0007(LT) (1015 Northfield Drive East, Conestogo);
- 6 Part of Lot 27, Registered Plan 600, Township of Woolwich, being Part 1 on 58R-18199; Part of PIN 22705-0037(LT) (1030 Northfield Drive East, Conestogo).

Permanent Easement – Utility Pole Anchor:

The right and easement, being an easement in gross, for itself, its successors and assigns and anyone authorized by it, in perpetuity to, at any time enter upon the following properties for purposes of constructing, laying down, installing, inspecting, repairing, altering, enlarging, replacing, correcting, operating, and maintaining hydro installations and infrastructure, both under ground and overhead, including cables, pipes, conduits of all kinds, all necessary poles, supporting wires and braces and other equipment and appurtenances thereto, herein referred to as the utility plant, which may be determined necessary from time to time through, over, upon, along and across the lands, and for all such purposes together with the free, unimpeded and unobstructed access for itself, its successors and assigns, servants, agents, contractors, workmen and anyone authorized by it, and vehicles, supplies and equipment at all times and for all purposes and things necessary for or incidental to the exercise and enjoyment of the right and easement:

- 1 Part of Lot 6, Registered Plan 600, Township of Woolwich, being Part 4 on 58R-18199; Part of PIN 22705-0407(LT) (1959 Sawmill Road, Conestogo);

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And that staff be instructed to register a Plan of Expropriation for the property within three months of the granting of the approval to expropriate the property, as required by the “Expropriations Act”;

And that the registered owners be served with a Notice of Expropriation and a Notice of Possession for the property after the registration of the Plan of Expropriation and the Regional Solicitor is authorized to take any and all actions required to enforce such Notices including but not limited to any application pursuant to Section 40 of the “Expropriations Act”;

And that all above-referenced fee simple partial takings situated adjacent to an existing Regional public highway be acquired for road widening purposes and therefore be deemed to form part of the adjacent public highway in accordance with subsection 31(6) of the Municipal Act, 2001, S. O. 2001, c.25;

And that if no agreement as to compensation is made with an owner, the statutory Offer of Compensation and payment be served upon the registered owners of the property in the amount of the market value of the interests in the land as estimated by the Region’s appraiser in accordance with the Expropriations Act;

And Further That the Regional Solicitor be authorized to discontinue expropriation proceedings or any part thereof, in respect of the above described lands, or any part thereof, upon the registration on title of the required documentation to complete the transaction or if determined by the Commissioner of Transportation and Environmental Services that such lands, or any part or interest thereof, are not required for the subject Project.

3. That Council of the Regional Municipality of Waterloo approve the expropriation of lands for the purpose of reconstruction of Fountain Street (Regional Road 17) from Shantz Hill Road to King Street West and King Street West (Regional Road 8) from Fountain Street to Eagle Street, in the City of Cambridge in the Region of Waterloo as detailed in Report PDL-LEG-15-55 dated August 11, 2015, described as follows:

Fee Simple Partial Taking:

1. Part of Lot 13 and Lot 14, Municipal Compiled Plan 731, being Part 1 on Plan 58R-18361, Part of PIN 03769-0131(LT) (340 Shantz Hill Road)
2. Part of Lot 7, Municipal Compiled Plan 731, being Part 1 on Plan 58R-18360, Part of PIN 22651-1027(LT) (311 Shantz Hill Road)
3. Part of Lots 8 and 9 West Side of Fountain Street, Registered Plan 522, being Part 3 on Plan 58R-18325, Part of PIN 22651-0509(LT) (328 Fountain Street South)

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4. Part of Lot 16 East of Fountain Street, Registered Plan 522, being Part 1 on Plan 58R-18359, Part of PIN 03774-0494 (LT) (329 Fountain Street South)
5. Part of Lot 15 East of Fountain Street, Registered Plan 522, being Part 4 on Plan 58R-18359, Part of PIN 03774-0492(LT) (309 Fountain Street South)
6. Part of Lots 14 and 15 East of Fountain Street, Registered Plan 522, being Part 6 on Plan 58R-18359, Part of PIN 03774-0491(LT) (299 Fountain Street South)
7. Part of Lots 7, 8, 9, 10, 11 and 12 East of Fountain Street, Registered Plan 522, being Part 1 on Plan 58R-18364, Part of PIN 03774-0489(LT) (239-255 Fountain Street South)
8. Part of Lots 1, 2, 3, 4, 5, and 6 East of Fountain Street, Registered Plan 522, Part of Lot 21, Municipal Compiled Plan 730, being Part 1 on Plan 58R-18324, Part of PIN 03774-0486(LT) (115 Fountain Street South)
9. Part of Lot 21, Municipal Compiled Plan 730, being Part 8 on Plan 58R-18324, Part of PIN 03774-0530(LT) (250 King Street West)
10. Part of Lot 23, Municipal Compiled Plan 730, Part of Lots 25 and 26, Municipal Compiled Plan 730, being Parts 1, 2 and 5 on Plan 58R-18369, being Part of PIN 03774-1129(LT) (140 King Street West)
11. Part of Lot 14, Municipal Compiled Plan 730, being Parts 11 and 12 on Plan 58R-18369, Part of PIN 03768-0083(LT) (149 King Street West)
12. Part of Lots 10, 11, 12, and 13, Municipal Compiled Plan 730, being Parts 13, 14, and 15 on Plan 58R-18369, Part of PIN 03768-0258(LT) (157 King Street West)
13. Part of Lot 2, Municipal Compiled Plan 730, being Part 1 on Plan 58R-18329, Part of PIN 03769-0213(LT) (144 Fountain Street North)
14. Part of Lots 1 and 2, Registered Plan 87, being Part 1 on Plan 58R-18367, Part of PIN 03777-0210(LT) (361 King Street East)
15. Part of Lot 9, Registered Plan 87, being Part 3 on Plan 58R-18367, Part of PIN 03777-0103(LT) (329 King Street East)
16. Part of Lots 8 and 9, Registered Plan 87, Part of Lot 63, Municipal Compiled Plan 729, being Part 5 on Plan 58R-18367, Part of PIN 03777-0003(LT) (303 King Street East)
17. Part of Lot 6, Registered Plan 522, being Part 1 on Plan 58R-18368, Part of PIN 03776-0029(LT) (246 King Street East)

Temporary Easement:

The right and easement, being a temporary easement in gross, for the free and unobstructed, right, interest and easement terminating on the 31st day of December, 2019, for itself, its successors and assigns, and anyone authorized by it, on over, under and through the following properties for the purposes of excavation, construction, installation, replacement, alteration, grading, and landscaping as required in connection with the reconstruction and improvements to Fountain Street (Regional Road 17) and King Street (Regional Road 8) and

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Shantz Hill Road, and all works ancillary thereto and for such purposes, the free, unimpeded and unobstructed access to the lands at all times by employees, agents, contractors, workers and anyone authorized by it, and vehicles, supplies and equipment at all times and for all purposes and things necessary for or incidental to the exercise and enjoyment of the right and easement.

1. Part of Lot 13 and Lot 14, Municipal Compiled Plan 731, being Part 2, 3, and 4 on Plan 58R-18361, Part of PIN 03769-0131(LT) (340 Shantz Hill Road)
2. Part of Lot 7, Municipal Compiled Plan 731, being Part 2 on Plan 58R-18360, Part of PIN 22651-1027(LT) (311 Shantz Hill Road)
3. Part of Lot 8, West Side of Fountain Street, Registered Plan 522, being Part 1 on Plan 58R-18325, Part of PIN 22651-0509(LT) (328 Fountain Street South)
4. Part of Lot 16 East of Fountain Street, Registered Plan 522, being Part 2 on Plan 58R-18359, Part of PIN 03774-0494 (LT) (329 Fountain Street South)
5. Part of Lot 15 East of Fountain Street, Registered Plan 522, being Part 5 on Plan 58R-18359, Part of PIN 03774-0492(LT) (309 Fountain Street South)
6. Part of Lots 14 and 15, East of Fountain Street, Registered Plan 522, being Part 7 on Plan 58R-18359, Part of PIN 03774-0491(LT) (299 Fountain Street South)
7. Part of Lots 13 and 14, East of Fountain Street, Registered Plan 522, being Part 8 on Plan 58R-18359, Part of PIN 03774-0490 (LT) (285 Fountain Street South)
8. Part of Lots 7, 8, 9, 10, 11 and 12 East of Fountain Street, Registered Plan 522, being Part 2 on Plan 58R-18364, Part of PIN 03774-0489(LT) (239-255 Fountain Street South)
9. Part of Lots 1, 2, 3, 4, 5, and 6 East of Fountain Street, Registered Plan 522, Part of Lot 21, Municipal Compiled Plan 730, being Parts 2, 4 and 5 on Plan 58R-18324, Part of PIN 03774-0486(LT) (115 Fountain Street South)
10. Part of Lot 21 and 22, Municipal Compiled Plan 730, being Parts 6, 7, 9, and 10 on Plan 58R-18324, being Part of PINS 03774-0530(LT) and 03774-0485(LT) (250 King Street West)
11. Part of Lots 23 and 24, Municipal Compiled Plan 730, Part of Lots 24, 25 and 26, Municipal Compiled Plan 730, being Parts 3 and 4 on Plan 58R-18369, Part of PIN 03774-1129(LT) (140 King Street West)
12. Part of Lot 14, Municipal Compiled Plan 730, being Parts 7 and 8 on Plan 58R-18369, Part of PIN 03768-0083(LT) (149 King Street West)
13. Part of Lots 10, 11, 12, and 13, Municipal Compiled Plan 730, Part of Lot 2 North of Main, Registered Plan 522, Being Parts 9 and 10 on Plan 58R-18369, Part of PIN 03768-0258(LT) (157 King Street West)

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14. Part of Lot 4 East of Woolwich Street, Registered Plan 522, being Part 6 on Plan 58R-18330, Part of PIN 03768-0080(LT) (153 Fountain Street North)
15. Part of Lot 4 and 5 East of Woolwich Street, Registered Plan 522, being Part 7 on Plan 58R-18330, being Part of PIN 03768-0079(LT) (155 Fountain Street North)
16. Part of Lot 5 East of Woolwich Street, Registered Plan 522, being Part 8 on Plan 58R-18330, Part of PIN 03768-0078(LT) (163 Fountain Street North)
17. Part of Lot 6, East of Woolwich Street, Registered Plan 522, being Part 9 on Plan 58R-18330, Part of PIN 03768-0077(LT) (169 Fountain Street North)
18. Part of Lots 8 and 9, Registered Plan 87, Part of Lot 63, Municipal Compiled Plan 729, being Part 6 on Plan 58R-18367, Part of PIN 03777-0003(LT) (303 King Street East)
19. Part of Lots 5 and 6, Registered Plan 522, being Part 2 on Plan 58R-18368, Part of PIN 03776-0029(LT) (246 King Street East)
20. Part of Lot A, Registered Plan 91, being Part 1 on Plan 58R-18366, Part of PIN 03776-0049(LT) (310-328 King Street East)

Permanent Easement:

The right and easement, being an easement in gross, for itself, its successors and assigns and anyone authorized by it, in perpetuity to, at any time enter upon the following properties for purposes of constructing, installing, inspecting, repairing, altering, enlarging, correcting, operating, maintaining, replacing, and reconstructing the adjacent highway, above ground and underground municipal services including without limitation paving, curbs and gutters, retaining wall structures, sidewalks, multi-use trails, boulevard landscaping, street lighting, traffic signals, sanitary sewers, storm sewers, water mains, culverts, catch basins, drains, drainage works, together with all pipes, wires, conduits, poles, markers and other works and appurtenances thereto, which may be determined necessary from time to time through, under, over, upon, along and across the lands, and for all such purposes together with the free, unimpeded and unobstructed access for itself, its successors and assigns, servants, agents, contractors, workers and anyone authorized by it, and vehicles, supplies and equipment at all times and for all purposes and things necessary for or incidental to the exercise and enjoyment of the right and easement.

1. Part of Lots 8 and 9, Registered Plan 522, being Part 2 on Plan 58R-18325, Part of PIN 22651-0509(LT) (328 Fountain Street South)
2. Part of Lots 1 and 2 East of Fountain Street, Registered Plan 522, Part of Lot 21, Municipal Compiled Plan 730, being Part 3 on Plan 58R-18324, Part of PIN 03774-0486(LT) (115 Fountain Street South)

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3. Part of Lot 22, Municipal Compiled Plan 730, being Parts 11 and 12 on Plan 58R-18324 and Part 5 on Plan 58R-18365, Part of PIN 03774-0485(LT) (250 King Street West)
4. Part of Lots 25 and 26, Municipal Compiled Plan 730, being Part 6 on Plan 58R-18369, Part of PIN 03774-1129(LT) (140 King Street West)
5. Part of Lot 2, Registered Plan 87, being Part 2 on Plan 58R-18367, Part of PIN 03777-0210(LT) (361 King Street East)
6. Part of Lot 9, Registered Plan 87, being Part 4 on Plan 58R-18367, Part of PIN 03777-0103(LT) (329 King Street East)

And That staff be instructed to register a Plan of Expropriation for the property within three months of the granting of the approval to expropriate the property, as required by the "Expropriations Act";

And That the registered owners be served with a Notice of Expropriation and a Notice of Possession for the property after the registration of the Plan of Expropriation and the Regional Solicitor is authorized to take any and all actions required to enforce such Notices including but not limited to any application pursuant to Section 40 of the "Expropriations Act";

And that all above-referenced fee simple partial takings situated adjacent to an existing Regional public highway be acquired for road widening purposes and therefore be deemed to form part of the adjacent public highway in accordance with subsection 31(6) of the Municipal Act, 2001, S. O. 2001, c.25;

And That if no agreement as to compensation is made with an owner, the statutory Offer of Compensation and payment be served upon the registered owners of the property in the amount of the market value of the interests in the land as estimated by the Region's appraiser in accordance with the Expropriations Act;

And Further That the Regional Solicitor be authorized to discontinue expropriation proceedings or any part thereof, in respect of the above described lands, or any part thereof, upon the registration on title of the required documentation to complete the transaction or if determined by the Commissioner of Transportation and Environmental Services that such lands, or any part or interest thereof, are not required for the subject Project.

4. That The Regional Municipality of Waterloo direct and authorize the Regional Solicitor to take the following actions with respect to the expropriation of lands for the reconstruction of Ira Needles Blvd at Erb Street West, City of Waterloo, in the Region of Waterloo as detailed in report PDL-LEG-15-59 dated August 11, 2015:

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1. Complete application(s) to the Council of the Regional Municipality of Waterloo, as may be required from time to time, for approval to expropriate land, which is required for the improvements to Ira Needles Blvd and described as follows:

Fee Simple Partial Taking:

- a) Part of Lot 41, German Company Tract, being Parts 2, 3 and 4 on 58R-18609 (650 Erb Street West, Waterloo);

Hydro Easement:

The right and easement, being an easement in gross, for itself, its successors and assigns and anyone authorized by it, in perpetuity to, at any time enter upon the following properties for purposes of constructing, laying down, installing, inspecting, repairing, altering, enlarging, replacing, correcting, operating, and maintaining hydro installations and infrastructure, both under ground and overhead, including cables, pipes, conduits of all kinds, all necessary poles, supporting wires and braces and other equipment and appurtenances thereto, herein referred to as the utility plant, which may be determined necessary from time to time through, over, upon, along and across the lands, and for all such purposes together with the free, unimpeded and unobstructed access for itself, its successors and assigns, servants, agents, contractors, workmen and anyone authorized by it, and vehicles, supplies and equipment at all times and for all purposes and things necessary for or incidental to the exercise and enjoyment of the right and easement:

- a) Part Block 91, Plan 1708 being Part 1 on 58R-18611(636 Erb Street West, Waterloo);
 - b) Part of Lot 41, German Company Tract being Part 1 on 58R-18612 (651 Erb Street West, Waterloo);
 - c) Part of Lot 41, German Company Tract being Parts 1, 5 and 6 on 58R-18609 (650 Erb Street West, Waterloo);
2. Serve notices of the above application(s) required by the Expropriations Act;
 3. Forward to the Chief Inquiry Officer any requests for a hearing that may be received;
 4. Attend, with appropriate Regional staff, at any hearing that may be scheduled;
 5. Discontinue expropriation proceedings or any part thereof, in respect of the above described lands, or any part thereof, upon the registration on title of the required documentation to complete a transaction whereby the required

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- interests in the lands are conveyed or if determined by the Commissioner of Transportation and Environmental Services that such lands, or any part or interest thereof, are not required for the subject project; and
6. Do all things necessary and proper to be done, and report thereon to Regional Council in due course.
 5. That the Regional Municipality of Waterloo enter into an Agreement for Professional Consulting Services with GHD Limited, to provide engineering services during the preliminary and detailed design and services during construction for the Waterloo Landfill South Boundary Well Pumphouse and Stormwater Management Pond 3 Modifications, City of Kitchener, at an upset fee limit of \$323,242.58 plus applicable taxes. [TES-DCS-15-21]
 6. That Regional Municipality of Waterloo enter into a Consulting Services Agreement with BluMetric Environmental Inc. of Kitchener, Ontario, to provide consulting services for undertaking the G5 Salt Assessment, Pinebush Well Field, in the City of Cambridge, at an upset limit of \$342,336.00 plus applicable taxes. [TES-WAS-15-24]
 7. That the Region of Waterloo accept PDL-CPL-15-38, Monthly Report of Development Activity for June 2015, dated August 11, 2015.
 8. That the Regional Municipality of Waterloo enter into an Agreement for Professional Consulting Services with GM BluePlan Engineering Limited, to provide engineering services for detailed design and services during construction for the Ayr Sewage Pumping Station and Forcemain in Ayr, at an upset fee limit of \$613,768 plus applicable taxes. [TES-DCS-15-18]
 9. That the Regional Municipality of Waterloo enter into a Consultant Services Agreement with Stantec Consulting Ltd. to provide consulting engineering services for a Class Environmental Assessment, detailed design, contract administration and construction inspection for improvements to Weber Street from Albert Street to Northfield Drive in the City of Waterloo at an upset fee of \$527,527.00 plus applicable taxes for the Class Environmental Assessment and detailed design phases, with contract administration and construction inspection services to be paid on a time basis in an estimated amount of \$315,000.00 as described in Report TES-DCS-15-19 dated August 11, 2015.
 10. That the Regional Municipality of Waterloo approve the implementation of a roundabout on Ira Needles Boulevard at Thorndale Drive, in the City of Waterloo, all as presented in Report TES-DCS-15-20 and subject to Regional Council approval of funding as part of the 2016 Transportation Capital Program budget process and subject to lands for the roundabout being dedicated by developers once the Consent Application for the lands is approved by the City of Waterloo and Thorndale Drive Extension is designated a municipal road.

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11. That the Regional Municipality of Waterloo approve the acquisition and installation of software upgrades, enhancements and new modules from INIT Innovations in Transportation, Inc. to support the integration of Grand River Transit's computer-aided dispatch and the automatic vehicle location (CAD/AVL) system with the Electronic Fare Management System (EFMS) at a cost of up to \$206,885.75 plus all applicable taxes. [TES-TRS-15-14]
 12. That the Regional Municipality of Waterloo amend the Traffic and Parking By-law 06-072, as amended, to:
 - a) Remove from Schedule 18, posted 70 km/h on Gerber Road (Regional Road 12) between Nafziger Road (Regional Road 5) and 400 metres east of Nafziger Road;
 - b) Remove from Schedule 18, posted 80 km/h on Gerber Road (Regional Road 12) between 400 metres east of Nafziger Road and Moser-Young Road (Regional Road 14);
 - c) Add to Schedule 18, posted 60 km/h on Gerber Road between Nafziger Road and 100 metres east of Greenwood Hill Road;
 - d) Add to Schedule 18, posted 80 km/h on Gerber Road between 100 metres east of Greenwood Hill Road and Moser-Young Road;

in the Township of Wellesley, as outlined in Report TES-TRP-15-18, dated August 11, 2015.
 13. That the Regional Municipality of Waterloo accept the proposal of Bartels Environmental Services Inc. for Aerobic Biosolids Management Contract for a five (5) year term at unit rates of \$4.10 /m³, \$6.98 /m³ and \$26.30 /m³ (excluding all applicable taxes) for biosolids haulage, biosolids land application or disposal and septage lagoon clean out respectively, all as detailed in Report TES-WAS-15-23 dated August 11, 2015.
 14. That the Regional Municipality of Waterloo endorse the findings and recommendations of the report entitled "Implementing the Growth Plan: Seeking Provincial and Municipal Alignment to Support a Prosperous Ontario", as it pertains to the Region of Waterloo, and as described in Report No. PDL-15-05/TES-15-02/COR-15-01, dated August 11, 2015;
- And that this report be forwarded to the Ontario Growth Secretariat as further endorsement of the above-noted report.

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15. That Regional Council authorize staff to schedule a public meeting in 2015 under the Planning Act to obtain input from the community on a proposed amendment to the Regional Official Plan that would propose to update Regional transportation policies, as outlined in Report No. PDL-CPL-15-41, dated August 11, 2015.

August 11, 2015



Region of Waterloo

Transportation & Environmental Services

Waste Management Services

Date: August 19th, 2015

Memorandum

To: Regional Councilors

From: Jon Arsenault, Director, Waste Management Services

CC: Thomas Schmidt, Commissioner, T&ES
Mike Murray, CAO
Craig Dyer, Commissioner, Corporate Services/CFO
Lisa Buitenhuis, Manager, Procurement/CPO
Susan White, Manager, Waste Collection & Diversion

Subject: Curbside Collection Bid Option Report (TES-WMS-15-10) Follow-up

At the August 11th Planning & Works Committee meeting, Regional Council approved the following recommendation for the next curbside collection contract:

That the Regional Municipality of Waterloo approve the following bid options for inclusion in the bidding documents for the next Region wide curbside waste collection contract, commencing March 6th, 2017:

- Bid Option 1: provision of curbside collection services provided under one contract for the entire Region (Tri-cities and Townships combined) by a single contractor;

Or the combined bid options of:

- Bid Option 2a): provision of curbside collection services provided under one contract for the Tri-cities only (Cambridge, Kitchener and Waterloo) by a single contractor; and
- Bid Option 2b): provision of curbside collection services under on contract for the Townships only (North Dumfries, Wellesley, Wilmot and Woolwich) by a single contractor.

to be determined by way of tender or RFP.

Council also directed staff to investigate alternative fuel vehicles such as compressed natural gas (CNG) as a potential option for consideration as part of the bidding process/award.

Recommended Procurement Approach

Waste Management and Finance (Procurement) staff met on August 13th to further discuss potential procurement options and considerations. Upon an assessment of the approved bid option recommendation from Council, recent municipal collection contract awards and a review of industry standard practice, the following has been clarified:

- no distinct benefit to either a tender or proposal exists based on the approved bid options. With either a tender or proposal, appropriate language and criteria can be inserted as part of the specifications, contract terms and special provisions that mitigate risk and allow for award of contract(s) within the Region's existing Purchasing By-Law.
- although the popularity of alternative fuel vehicles has increased, few fleets, including the Region's, have fully endorsed the new alternatives at this time. Any potential environmental and performance benefits in comparison to the more traditional and common "clean" diesel collection vehicles are still a matter of debate. To date, alternative fuel vehicles have not been widely used for municipal curbside collection contracts and when they have, it has typically been a requirement of an overall Corporate directive. In this regard, Peel Region's new waste collection contract starting in January 2016 is the only Ontario example of a curbside collection contract that staff is aware of where CNG vehicles were exclusively specified as a requirement to bid. The capital investment for CNG fleets, infrastructure and permitting is significantly more expensive and one that only a few large firms (typically those also involved in commercial and long haul fleets) are capable of undertaking and therefore could reduce the number of prospective bidders. It would reduce the ability of a contractor to bid only on the rural program. However, contract language can be incorporated that includes the option of alternative fuel vehicles in addition to traditional diesel so that those companies that choose to incorporate this technology can do so.
- the approved standardized level of curbside service across the Region is well defined with very little complexity. This allows for a specified scope of work in order to meet the Region's needs while still providing potential bidders enough flexibility to determine the type and number of resources necessary to fulfill the scope of work over the term of the contract.

Based on the above, Staff are recommending that the next curbside collection contract be let as a tender with price being the major consideration for contract award. Issuance of the tender is proposed for the first to second week of September with tender close the end of October and a report recommending award in November/December of 2015.

The Regional Municipality of Waterloo

Planning and Works Committee

Summary of Closed Recommendations to Council

The Planning and Works Committee recommends as follows:

1. That the Commissioner of Planning, Development and Legislative Services of the Regional Municipality of Waterloo be authorized to enter into Addendum No. 3 with the Corporation of the Township of Woolwich regarding the amendment of the Airport Site Plan Agreement to facilitate construction of a new Air Traffic Control Tower, and any further amendments and addenda to the Site Plan Agreement that may be required to facilitate the development of lands at the Region of Waterloo International Airport, with the form and content of such agreement(s) to be to the satisfaction of the Regional Solicitor.
2. That the Regional Municipality of Waterloo approve, enter into an Agreement for, and execute all documentation related to the sale of the property known municipally as 156 Benton Street and described as Part Lot 6, Plan 397, being Part 5, Reference Plan 58R-16135, City of Kitchener, Regional Municipality of Waterloo, PIN 22499-0563 (LT) from The Regional Municipality of Waterloo to Ronald Firmi Brohman for the sum of \$290,000, subject to documentation satisfactory to the Regional Solicitor;

And that the net proceeds from the disposition of the subject property be transferred to the Capital Levy Reserve Fund.

3. That The Regional Municipality of Waterloo approve the settlement with 1295355 Ontario Inc., for the amount of \$10,845.60 in compensation, interest at the rate of 6% per annum on the sum of \$8,591.25, being additional market value as part of the compensation, and reasonable costs, all pursuant to the Expropriations Act, in relation to the partial expropriation of 84 Victoria Street North, Kitchener.

August 11, 2015

Report: RC-15-002

Region of Waterloo

Office of the Regional Chair

Council Report

To: Members of Regional Council

Date: August 19, 2015

Subject: Council Vacancy

Recommendation:

That Elizabeth Clarke be appointed as a Regional Councillor for Kitchener to fill the vacancy declared by Regional Council on August 19, 2015, effective August 24, 2015.

Background:

The unexpected death of Councillor Wayne Wettlaufer on June 21, 2015 has left a vacancy for one of the four Kitchener directly elected Regional Councillors. Regional staff in their report have provided information about vacancies during the term of Council. Sections 259-263 of the Municipal Act deal with vacancies. The Act permits the filling of the vacancy either by appointment or by election. The Act is not prescriptive and leaves the choice to Regional Council.

It is my recommendation to Regional Council that Regional Council appoint Elizabeth Clarke to fill the vacancy on Regional Council.

There has been considerable discussion and after considering the matter carefully, I would recommend appointment for the following reasons:

1. Municipal elections are unlike Federal or Provincial elections where there is a Parliamentary system and the number of seats determines the government and opposition parties. Should there be a death or resignation of an MP or MPP, a by election is held because there is no neutral slate and the results affect the Government and/or opposition parties.
2. Municipal elections are free of a political party system and each member elected is independent. The head of council is directly elected and not dependent on other members of council. With multiple candidates and multiple votes in many cases, electors end up indirectly ranking those on the ballot. In many cases, the vote is tight while in others there is a considerable gap between the successful candidate (s) and others. The nature of the relative standings becomes a factor in dealing with any subsequent vacancy.



3. A full municipal election was held in October of 2014 and the term started December 1, 2014. Council was just into its 7th month at the date of the vacancy. In the City of Kitchener, there was a slate of 7 candidates for the 4 directly elected Regional Council positions. The election results for directly elected Regional Councillors in Kitchener saw the public rate those candidates as follows:

Candidate	# Votes	%
Karen Redman	28,571	22.47%
Tom Galloway	24,831	19.53%
Wayne Wettlaufer	17,445	13.72%
Geoff Lorentz	16,978	13.35%
Elizabeth Clarke	16,562	13.03%
Cameron Dearlove	14,426	11.35%
Greg Burns	8,316	6.54%

Between the 3rd place and 5th place candidates for the Regional Councillors for the City of Kitchener, there was less than 1% difference in the votes received – a gap of only 883 votes. In my opinion, this represents support from residents similar to other successful candidates. There is no sizeable gap in the level of support for the 5th place candidate.

4. I believe that appointing the 5th place candidate is consistent with democratic principles in that the vote was held recently, that the public had given significant support to the candidate, and that it is easily argued that the ballot is a preferential ballot from the top down given that electors had 4 votes on this ballot.
5. Given that I believe this is consistent with a democratic approach, I find it hard to support an option that would require a city-wide election as opposed to a ward election, and that would cost approximately \$150,000.00 - \$275,000.00 less than a year after the municipal election. In addition to the public costs involved, the candidates have recently themselves invested in the expenses of an election less than a year ago. A by election would leave them to fund a second election or not be able to fund a second election while allowing those who did not register in 2014 the ability to enter the race, not having shown any interest late last year. This seems unfair to me when I believe we have valid results which meet a democratic test in my opinion.



6. A municipal by election period would come during the elongated federal election which would leave people confused or totally disinterested. Voter turnouts are not high in municipal elections and I suspect that the turnout in a single Regional Councillor election would be even less.
7. As the Regional Clerk's report showed, the majority of municipalities have filled vacancies with appointments. Although there is no local precedent for filling this position since the directly elected Regional Councillors were only created in 2000, most other vacancies were filled by appointment. There have been a number of vacancies filled by appointment during the years in the Region. The only vacancy of which I am aware that was filled through by election was when a ward Councillor had been acclaimed and there was no runner up. In the municipal election preceding this in 2000, the Kitchener turnout was 28% and a ward by election in 2002 saw the turnout barely half at 16%.
8. An appointment made effective next week would allow the new Councillor to begin to work quickly, to participate as we finalize the new strategic plan, and be part of the 2015 budget process.

Given that the Municipal Act is not prescriptive, it is up to each Council to decide on how to fill a vacancy and each time, the Council will have to consider all of the circumstances and variables. In my view, the timing, the nature of the position and the election, weighing the results of previous votes, and the perspectives of Councillors will enter into each and every decision. Given the nature of the Act and the particular specifics of each vacancy, no one decision is a binding precedent.

The term of this Council began December 1 and the vacancy occurred less than 7 months into the term. I would encourage you to proceed with this appointment. It is a timely way to fill the vacancy while respecting the democratic vote of an election held less than one year ago with a slate of candidates who made the effort to engage the voters of the City of Kitchener.

Respectfully Submitted,

Ken Seiling, Regional Chair



Report: PDL-CAS-15-07

Region of Waterloo

Planning, Development and Legislative Services

Council and Administrative Services

To: Chair K. Seiling and Members of Regional Council

Date: August 19, 2015

File Code: C01-05

Subject: 2016 Schedule of Council/Committee Meetings

Recommendation:

That the Regional Municipality of Waterloo adopt the 2016 Council and Committee Meeting Schedule attached to Report PDL-CAS-15-07 dated August 19, 2015.

Report:

Each year, the following year's Meeting Calendar is brought forward for adoption. This allows Members of Council and Regional Staff to plan appropriately by taking Regional Council and Committee meeting dates into consideration. The legend explains the coding on the calendar and is self-explanatory. Dates of Federation of Canadian Municipalities (FCM) and the Associates of Municipalities of Ontario (AMO) conferences have been included.

The proposed schedule maintains the three week cycle as started in 2007. The rules of the Procedural By-law were amended in 2007 to accommodate the new Committee cycle.

The attached proposal establishes Committee and Council weeks and is provided for discussion purposes. The proposed schedule has Committees resuming on Tuesday, January 12, 2016. The Final Budget meeting has been scheduled for Wednesday, January 13, 2016, along with a special Council meeting on that date for final budget approval. The mid winter break coincides with the School Board March Break for 2016. There is a six week summer break in 2016.

Corporate Strategic Plan:

Establishing meeting dates annually meets Focus Area 5, Service Excellence in the Corporate Strategic Plan.

Financial Implications:

Nil

Other Department Consultations/Concurrence:

The Regional Chair has been consulted in the preparation of this schedule. The approved schedule will be circulated to the Area Municipal Clerks.

Attachments

Appendix A: 2016 Meeting Calendar

Prepared By: Lee Ann Wetzel, Manager, Council & Administrative Services/Deputy Clerk

Approved By: Kris Fletcher, Director, Council & Administrative Services/Clerk

Appendix A: 2016 Meeting Calendar



Region of Waterloo

2016 Meeting Calendar

January							February							March						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2		1	2	3	4	5	6			1	2	3	4	5
BW 3	4	5	6	7	8	9	C 7	8	9	10	11	12	13	BW 6	7	8	9	10	11	12
CW10	11	12	13	14	15	16	BW14	15	16	17	18	19	20	BW13	14	15	16	17	18	19
C 17	18	19	20	21	22	23	CW21	22	23	24	25	26	27	CW20	21	22	23	24	25	26
BW24	25	26	27	28	29	30	C 28	29						C 27	28	29	30	31		
CW31																				

April							May							June						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2	CW 1	2	3	4	5	6	7				1	2	3	4
BW 3	4	5	6	7	8	9	C 8	9	10	11	12	13	14	BW 5	6	7	8	9	10	11
CW10	11	12	13	14	15	16	BW15	16	17	18	19	20	21	CW12	13	14	15	16	17	18
C 17	18	19	20	21	22	23	CW22	23	24	25	26	27	28	C 19	20	21	22	23	24	25
BW24	25	26	27	28	29	30	C 29	30	31					BW26	27	28	29	30		

July							August							September						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2		1	2	3	4	5	6					1	2	3
BW 3	4	5	6	7	8	9	CW 7	8	9	10	11	12	13	BW 4	5	6	7	8	9	10
BW10	11	12	13	14	15	16	C 14	15	16	17	18	19	20	CW11	12	13	14	15	16	17
BW17	18	19	20	21	22	23	BW21	22	23	24	25	26	27	C 18	19	20	21	22	23	24
BW24	25	26	27	28	29	30	BW28	29	30	31				BW25	26	27	28	29	30	
BW31																				

October							November							December						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1			1	2	3	4	5					1	2	3
CW 2	3	4	5	6	7	8	C 6	7	8	9	10	11	12	CW 4	5	6	7	8	9	10
BW 9	10	11	12	13	14	15	BW13	14	15	16	17	18	19	C 11	12	13	14	15	16	17
C 16	17	18	19	20	21	22	CW20	21	22	23	24	25	26	BW18	19	20	21	22	23	24
BW23	24	25	26	27	28	29	C 27	28	29	30				BW25	26	27	28	29	30	31
CW30	31																			

Legend: ○ Holiday C Council Week CW Committee Week BW Blank Week
 ■ FCM Conference (June 3-6, Winnipeg, MB) ✕ AMO Conference (Aug 14-17 Windsor)
 ▲ Budget Meeting and Budget Public Input ❄ Mid Winter Break (March 14-18)
 ▲ Final Budget Approval: January 13
 ● Council ● Committee Week

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Report: PDL-LEG-15-62

Region of Waterloo

Planning Development and Legislative Services

Legal Services

To: Chair Ken Seiling and Members of Regional Council

Date: August 19, 2015

File Code: L07-70

Subject: 2480 Homer Watson Boulevard, Kitchener Road Dedication

Recommendation:

That the Regional Municipality of Waterloo pass a by-law to add to the Regional Road System to form part of Regional Road 28 (Homer Watson Boulevard) the lands described as:

Part Biehn's Unnumbered Tract, Twp of Waterloo closed by 430758, as in 430768 East of Part 5, 58R-4554, City of Kitchener (all of PIN 03771-0039 (LT)).

And that the Regional Solicitor be directed to register notice of such by-law on title to the lands that are subject of the by-law.

Summary:

NIL

Report:

In connection with the sale of 2480 Homer Watson Boulevard, Kitchener by the owner, Regional staff were contacted by the owner's solicitor to inquire about the dedication of a road widening along the frontage of 2480 Homer Watson Boulevard that was transferred to the Corporation of the County of Waterloo in 1970. A title search of the lands revealed that the transfer of the widening was not a dedication by the owner and no by-law had been passed by the municipality to dedicate such widening as part of Homer Watson Boulevard. As a result, the lands known as 2480 Homer Watson Boulevard do not directly abut the public highway which is a title defect that requires correction.

Homer Watson Boulevard became part of the Regional Road system on January 1, 1973 pursuant to The Regional Municipality of Waterloo Act, 1972.

The proposed by-law will have the effect of dedicating all lands that were intended to be part of Homer Watson Boulevard (Regional Road 28) along the frontage of 2480 Homer Watson Boulevard in the City of Kitchener as part of the public highway. This will correct the technical title defect affecting the lands known as 2480 Homer Watson Boulevard.

Corporate Strategic Plan:

The proposed by-law supports the Region's strategic focus on managing growth to foster thriving and productive urban and rural communities.

Financial Implications:

NIL

Other Department Consultations/Concurrence:

Staff from Transportation Planning have been consulted in the preparation of this report.

Attachments

Appendix "A" - Sketch of Part of Homer Watson Boulevard to be dedicated as public highway.

Prepared By: Fiona McCrea, Solicitor, Property

Approved By: Debra Arnold, Regional Solicitor/Director Legal Services

Appendix "A"

