

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: September 20, 2022

TO: Mayor and Council

FROM: Jim Gordon, P.Eng., Director, Engineering and Municipal Operations

SUBJECT: Helen Fathers Centre Street Walkway Update

RECOMMENDATIONS

THAT Council:

1. Receive for information the corporate report dated September 20, 2022, from the Director of Engineering and Municipal Operations, titled “Helen Fathers Centre Street Walkway Update” for consideration;
 2. Authorize the Mayor to sign the contribution agreement between the City and Infrastructure Canada in the amount of \$996K for the successful award of the Active Transportation Fund; and
 3. Give first, second and third reading to *Authorization of the Construction of the Helen Fathers Walkway Project Bylaw 2022 No. 2445* subject to Council approval of the Financial Plan Amendment proposed on the September 20, 2022, Regular Council Agenda.
-

EXECUTIVE SUMMARY

This report is in response to the Council direction received on June 27, 2022, and subsequently on July 25, 2022.

The report provides an update on the grant application, advises of a financial amendment to the 2022 Financial Plan to adjust the project budget, and recommends a bylaw to close a portion of Centre Street, currently identified as road dedication, to vehicle traffic in order to dissolve the encroachments within the project site before the project commences in early 2023.

PREVIOUS COUNCIL DIRECTION

Motion # & Meeting Date	Motion Details
2022-IC-073 July 25, 2022	THAT Council: <ol style="list-style-type: none">1. Receive for information the corporate report dated July 25, 2022, from the Director of Engineering and Municipal Operations, titled “Helen Fathers Centre Street Walkway – Right of Way;”2. Direct staff to prepare a bylaw for the project in accordance with Section 40 of the <i>Community Charter</i>;

	<p>3. Approve information related to this report being released on a date to be confirmed with the City Solicitor.</p> <p style="text-align: right;">CARRIED</p>
2022-IC-061 June 27, 2022	<p>THAT Mayor and Council:</p> <ol style="list-style-type: none"> 1. Receive for information the corporate report dated June 27, 2022, from the Director of Engineering and Municipal Operations, titled “Helen Fathers Centre Street Walkway Contract Award Follow-Up with Grant Application Updates;” 2. Direct staff to defer the project for retendering in January 2023; and 3. Direct staff to release this item from Closed Council on July 11, 2022. <p style="text-align: right;">CARRIED</p>
2022-250 June 13, 2022	<p>That Council endorse, in regard to the Helen Fathers Centre Street Walkway project, Option 3 noted in the corporate report.</p> <ul style="list-style-type: none"> • The City hold approval of the award of the contract pending the grant availability of the Active Transportation Fund 2022 by Infrastructure Canada. <p>Note: Evaluation results to be anticipated in June/July 2022, or future grant application for Active Transportation Fund 2022/2023 by BC Ministry of Transportation and Infrastructure with evaluation results to be anticipated in September 2022.</p> <p style="text-align: right;">CARRIED</p>
2021-414 October 25, 2021	<p>That Council give first, second and third reading to “White Rock Financial Plan (2021-2025) Bylaw, 2021, No. 2377, Amendment No. 2, 2021, No. 2403” as presented and circulated ON -Table</p> <p>Note: White Rock Financial Plan (2021-2025) Bylaw, 2021, No. 2377, Amendment No. 2, 2021, No. 2403 Bylaw 2403 – A bylaw to amend the Financial Plan for 2021 to 2025 as follows:</p> <ul style="list-style-type: none"> • add \$111K to the 2021 Financial Plan for a new regular full time Solid Waste Coordinator position starting in December 2021, \$8K to 2021 and \$103K to 2022, funded from Reserves; • Add \$650K for the Centre Street Walkway Project funded from CAC’s; and (as presented On-Table); • Add \$50K to the 2021 Financial Plan for a consultant to assist with the Request for Proposal for a Solid Waster Contractor funded from Reserves. <p style="text-align: right;">CARRIED</p>
2021-361 October 4, 2021	<p>THAT Council support R.F. Binnie & Associates’ Centre Street Walkway Preliminary Design Option as circulated, as it is more walkable, sustainable, and cost-effective; and direct staff to proceed with the detailed design and construction of Option B.</p> <p style="text-align: right;">CARRIED</p>

2021-116 March 8, 2021	<p>THAT Council approve a budget of \$900K from Community Amenity Contributions (CAC) based on the conceptual design for the Centre Street Walkway provided to Council in 2014 and attached as Appendix A and direct staff to commence the initial project steps, including preliminary design, as described in this report.</p> <p style="text-align: right;">CARRIED</p>
2021-F&A-030 February 22, 2021	<p>THAT The Finance and Audit Committee reconfirms the project noted in February 22, 2021, the corporate report titled “Community Amenity Contribution (CAC) Project Options Update” as a. Centre Street Walkway Upgrades / but now noting 2021 as the year / with the budget amount \$500,000.</p> <p style="text-align: right;">CARRIED</p> <p>Note: It was noted the design from 2014 included tree trunks, these were not well received, and the Committee does not want them to come back again as part of the future plan.</p>
2021-F&A-030 February 22, 2021	<p>THAT The Finance and Audit Committee requests the project noted in the February 22, 2021, corporate report titled “Community Amenity Contribution (CAD) Project Options Update” as a. Centre Street Walkway Upgrades be started” shovel in the ground “2021”/started ASAP.</p> <p style="text-align: right;">CARRIED</p>
2014-319 October 20, 2014	<p>THAT Council receives for information the corporate report dated October 20, 2014, from the Director of Engineering and Municipal Operations titled “Updated on Progress of Centre Street Road Allowance Improvements Task Force.”</p> <p style="text-align: right;">CARRIED</p>

BACKGROUND

In 2014, following public engagement, Council was presented with a concept plan for the Centre Street Walkway Upgrades project between Marine Drive and Columbia Avenue with a cost estimate of \$800K. The project was not endorsed by Council at that time.

At the February 22, 2021, Finance and Audit Committee meeting, Council directed that the Centre Street Walkway Upgrades project be endorsed as a Community Amenity Contributions (CAC) project and to begin as soon as possible. At the March 9, 2021, Regular Council meeting, a budget of \$900K was approved based on the conceptual plan presented in 2014 and directed staff to commence the initial project steps including the preliminary design.

R.F. Binnie and Associates was retained to provide engineering services in summer 2021. Two preliminary design options were presented at the October 4, 2021 Regular Council Meeting. Following Council’s approval, specifics surrounding better walkability, stability, and sustainability were incorporated into the detailed design. On October 25, 2021, Council approved additional funding of \$650K from the CAC account, accumulating a total budget of \$1550K for the Centre Street Walkway Upgrades project, now formally known as the Helen Fathers Center Street Walkway (HFCW) project.

Upon the completion of the detailed design, a Request for Proposals (RFP) for the construction was posted on April 11, 2022 and closed on May 10, 2022 with seven (7) proposals received. The evaluation concluded that Cedar Crest Lands BC Ltd. presented best value to the City.

On June 13, 2022 at the Regular Council meeting, the evaluation results were presented, seeking approval to award the HFCW project to Cedar Crest Lands BC Ltd., subject to a Financial Plan amendment to accommodate the cost increase. Council expressed concern about the proposed budget of \$3104K and directed that the award of the RFP be postponed pending a response from Infrastructure Canada about the City's project grant application to the Active Transportation Fund (ATF).

ANALYSIS

In March 2022, the City submitted a grant application to Infrastructure Canada for the HFCW project under the ATF as part of the Hillside Walkway bundled project identified in the corporate report titled "Helen Fathers Centre Street Walkway Contract Award Follow-up with Grant Application Updates", dated June 27, 2022 from the Director, Engineering and Municipal Operations. The project was eligible to receive up to 60% of the total eligible cost, to a maximum grant contribution of \$996K. The City has received approval in principle for this grant subject to timely execution of the contribution agreement. This corporate report requests Council's authorization to enter into the contribution agreement with Infrastructure Canada.

As discussed in the corporate report titled Contract Award - Helen Fathers Centre Street Walkway Upgrades and Improvements Project from the Director, Engineering and Municipal Operations, dated June 13, 2022, the proposed budget for the HFCW project is \$3104K and is based on the bidding price provided when staff went out to market in April 2022. Staff recommend that the project budget be adjusted to \$3400K to accommodate an 8% inflation rate for the tender and construction in early 2023. Staff present this recommendation below and separately in a subsequent Financial Plan amendment corporate report for Council's consideration.

FINANCIAL IMPLICATIONS

In order to support a revised cost estimate of \$3400K, a financial amendment of \$1981K is required to the 2022 Financial plan. The breakdown of the project budget is as follows:

Current approved budget	\$1,419,000
2022 Municipal Funding Program WITT-Allocated (TransLink)	\$ 48,000
ATF grant from Infrastructure Canada	\$ 996,000
Additional City funds required	\$ 937,000
Total Project Cost	\$3,400,000

LEGAL IMPLICATIONS

On June 27, 2022 at the Regular Council meeting, Council directed staff to defer the project for re-tendering in January 2023. Subsequently, at the July 25, 2022 Regular Council meeting, Council directed staff to prepare a bylaw for the project in accordance with Section 40 of the *Community Charter* to close the portion of Centre Street that is in the HFCW project to vehicle traffic as was recommended by the City's solicitor. A bylaw in accordance with Section 40 of the *Community Charter* would allow the City to dissolve the encroachments within the project site before the project commences in early 2023.

The litigation with three property owners that have encroachments in the HFCW project area has not been settled. The court hearing was scheduled on August 18 and 19, 2022 and the judge has chosen to reserve the decision, with the written results to be released sometime in the future.

In accordance with the direction received at the July 25, 2022 Regular Council meeting, a bylaw has been prepared and is presented to Council for approval. The bylaw is titled “Authorization of the Construction of the Helen Fathers Walkway Project Bylaw 2022 No. 2445” and directs City staff to proceed with the detailed design and construction of Option B for the Helen Fathers Centre Street Walkway Project as described in the October 4, 2021 corporate report titled “Centre Street Walkway – Design Options” from the Director, Engineering and Municipal Operations. This will allow the City to close a portion of Centre Street (currently identified as road dedication) in order to restrict vehicle traffic and accommodate construction. Additionally, in order to be eligible for the Active Transportation Fund (ATF) grant, the City must confirm that property and rights of way have been secured prior to receiving any funds. The proposed bylaw ensures the City obtains these rights.

COMMUNICATION AND COMMUNITY ENGAGEMENT IMPLICATIONS

Following Council’s decision, staff will update the project information on the City’s website.

INTERDEPARTMENTAL INVOLVEMENT

The Authorization of the Construction of the Helen Fathers Walkway Project Bylaw 2022 No. 2445, reviewed by the City’s Administration Office and City Solicitor is presented herein for Council’s approval. Additionally, Financial Services has prepared an amendment to the 2022 Financial Plan by adding \$1981K funded from grants and CACs for the Helen Fathers Centre Street Walkway Upgrades project for Council’s consideration.

As the outstanding issues are resolved, the HFCW project can be re-tendered in January and construction in spring 2023.

ALIGNMENT WITH STRATEGIC PRIORITIES

The HFCW project is a Community Amenity Contribution “Shovel-in-the-Ground” project and is one of Council’s Top Strategic Priorities.

OPTIONS / RISKS / ALTERNATIVES

The following alternate options are available for Council’s consideration:

1. Not resolve and defer outstanding project issues.

CONCLUSION

Staff recommended that City Council approve the financial amendment and adopt *Authorization for Construction of Helen Fathers Centre Street Walkway Bylaw 2022 No. 2445* in order to resolve outstanding project issues so that the project can re-tender in January and start construction in spring 2023.

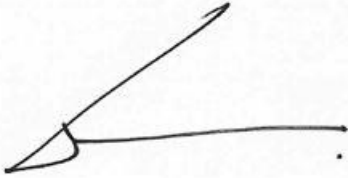
Respectfully submitted,



Jim Gordon, P.Eng.
Director, Engineering and Municipal Operations

Comments from the Chief Administrative Officer

I concur with the recommendations of this corporate report.



Guillermo Ferrero
Chief Administrative Officer

Appendix A: Corporate report dated October 4, 2021 titled “Bylaw 2445 – Schedule A Corp Report Design Options for Centre Street Walkway”.