

**THE CORPORATION OF THE CITY OF WINDSOR
OFFICE OF THE CITY ENGINEER – ENGINEERING**

**MISSION STATEMENT:**

"The City of Windsor, with the involvement of its citizens, will deliver effective and responsive municipal services, and will mobilize innovative community partnerships"

LiveLink REPORT #: 16940 SW/11834	Report Date: January 9, 2014 (3734-01/23/14:eb)
Author's Name: Jane Z. He	Date to Council: February 3, 2014
Author's Phone: 519-255-6257 ext. 6358	Classification #:
Author's E-mail: jhe@city.windsor.on.ca	

TO: Mayor and Members of City Council

SUBJECT: Construction of Curbs and Gutters and Boulevard Restoration on Baby Street from Chippawa Street to approximately 85 metres southerly

1. RECOMMENDATION: City Wide: _____ Ward(s): 2

- I.** That the report regarding the result of the Initiation of Construction of Curbs and Gutters and Boulevard Restoration on Baby Street from Chippawa Street to approximately 85 metres southerly **BE NOTED AND FILED.**
- II.** That the sewer rehabilitation on Baby Street from Chippawa Street to approximately 85 metres southerly **PROCEED** under approved 2014 Capital Work with the road re-construction in such a way that it will be ready for the future installation of the curbs & gutters subject to the satisfaction of the requirements specified under Ontario Regulation 586/06, made under the Municipal Act 2001 for the Local Improvement Work.
- III.** That installation of curbs and gutters **PROCEED** on City-owned property on baby Street, adjacent to Bradley Park, with expenses charged to Project 7121017.

EXECUTIVE SUMMARY: N/A

2. BACKGROUND:

Council approved City Administration's initiation of the construction of curbs and gutters and boulevard restoration on Baby Street from Chippawa Street to approximately 85 metres southerly under the Council Resolution CR219/2013 as a Local Improvement.

A public notice was advertised in the Windsor Star on November 23, 2013 as per the requirement of Ontario Regulation 586/06 under Section 6. A signed petition from the property owners directly abutting the construction AGAINST proposed installation of curbs & gutters as a local improvement work was received by the City Clerk Office on December 18, 2013. The sufficiency of the petition has been determined and certified by the City Clerk Office as per Section 9 and Section 10 under Ontario Regulation 586/06.

3. DISCUSSION:

Section 7 of Ontario Regulation 586/06 specifies the Local Improvement not to proceed for two years if petition received under Section 7 (1) of Ont. Reg. 586/06:

If, within 30 days after notice is given to the public under section 6, the municipality receives a sufficient petition, as determined under section 10, against undertaking the work as a local improvement, the municipality shall not undertake the work as a local improvement within two years after receiving the petition.

Given consideration that the sewer rehabilitation work has been designed and scheduled to proceed under approved 2014 capital work budget, City Administration recommends to proceed with the sewer and road rehabilitation without the installation of the curbs and gutters. However, special design consideration shall be taken to make the road alignment and grading to suit the future installation of the curbs & gutters.

Baby Street at this location is a dead-end road adjacent to City's Bradley Park. The comments received from Parks Department suggest that the installation of the curbs & gutters may effectively eliminate illegal dumping to the parkland. As a result, Administration is recommending that the curb and gutter be installed adjacent to the Park.

4. FINANCIAL MATTERS:

The estimated costs to the City and the abutting lots for the local improvement work are outlined in attached Schedule "A". The homeowners' share would have been in the amount of \$10,172.83 (excluding HST). City has parkland (Bradley Park) fronting this local improvement work. The cost for the City's share is estimated in the amount of \$3,389.10 and will be charged to the project ID 7121017.

The total estimated cost of the Cross/Baby Sewers, Roads and Watermain Rehabilitation project is estimated to be \$1,500,000.00 (net of WUC funds for watermain component), as approved in the 2014 capital project for the sewer rehabilitation projects. It will be charged to the project ID 7121017.

5. RISK ANALYSIS:


Associated risks to the Corporation resulting from the undertaking of this project include risks typical of a construction project, such as bodily injury, property damage, and matters arising from violations of the Occupational Health and Safety Act. These risks are to be transferred to the successful proponent, through the contract that the City and the Contractor enter into. There will be sufficient insurances in place as per the City's Risk Management requirements to cover the Corporation for the potential damage and claims that might arise from their work during or after construction in the maintenance period.

6. CONSULTATIONS:


Manager of Parks Development
Legal Department
Council Services

7. CONCLUSION:


The installation of curbs & gutters as a Local Improvement Works will NOT proceed for two years due to the receipt of a successfully signed petition against the proposed work.



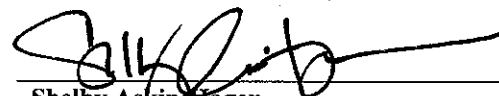
Jane Z. He
Engineer III (A)




Mario Sorrego
City Engineer and Corporate Leader
Environmental Protection and Transportation



Onorio Colucci
Chief Financial Officer/City Treasurer and
Corporate Leader Finance and Technology



Shelby Askin-Hager
City Solicitor



Helga Reidel
Chief Administrative Officer

JZH/mb

APPENDICES: Schedule "A"; Drawing C-3211

DEPARTMENTS/OTHERS CONSULTED:
Name:
Phone #:

NOTIFICATION :			
Name	Address	Email Address	Telephone
Ron Jones -- Ward 2		rjones@city.windsor.on.ca	519-252-1005
Wira Vendrasco Deputy City Solicitor		wvendrasco@city.windsor.on.ca	
Mike Clement Manager of Parks Development		mclement@city.windsor.on.ca	

SCHEDULE 'A'

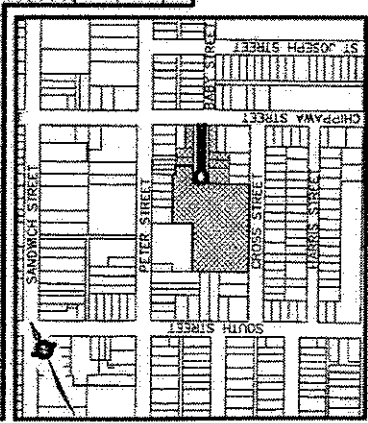
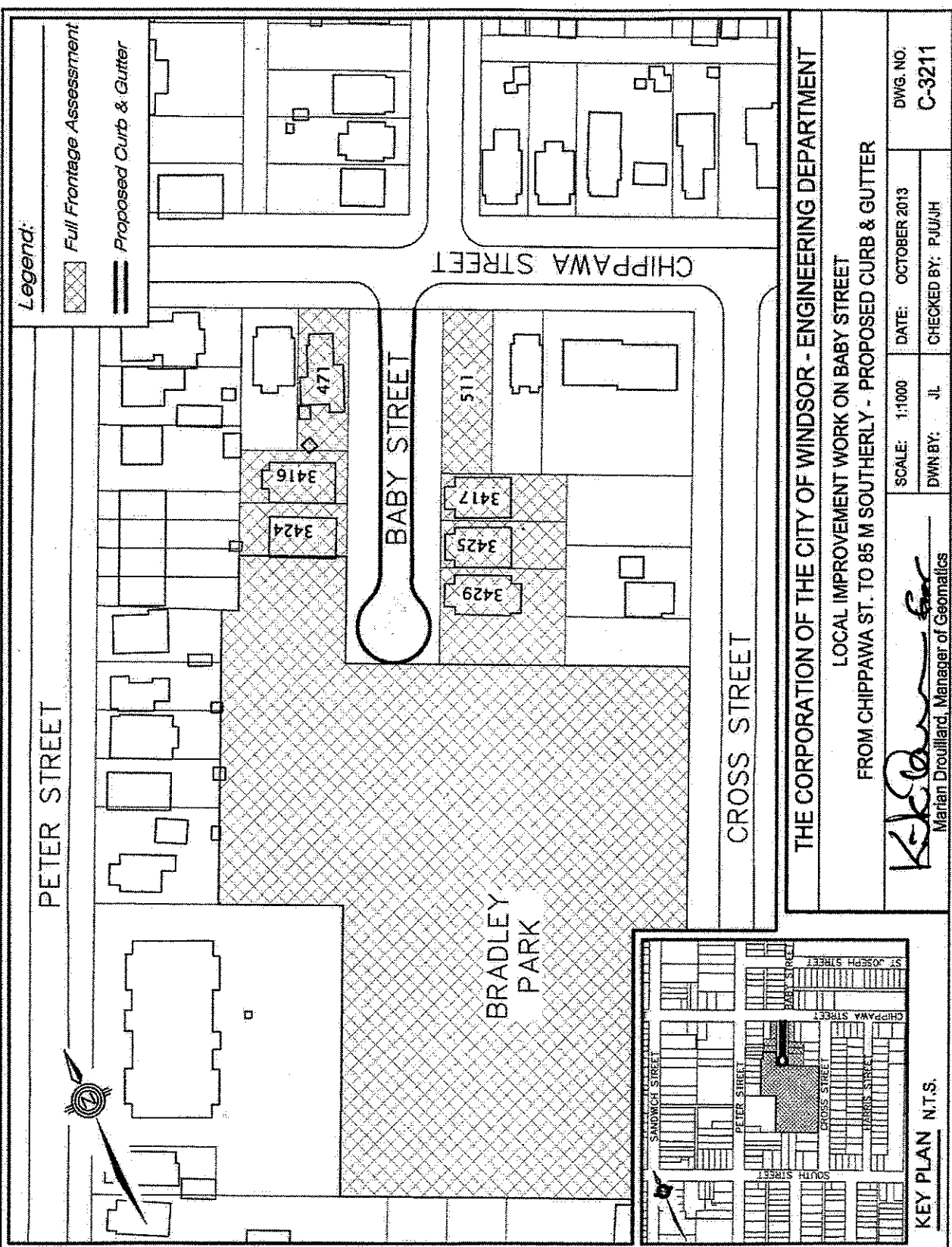
**Construction of Curbs and Gutters, Boulevard Restoration on
Baby Street from Chippawa Street to approximately 85 metres southerly
Ontario Regulation 586/06 Local Improvement Special Charges – Cost Breakdown
(HST Excluded)**

DESCRIPTION	TOTAL ESTIMATED COST	OWNER'S COST	CITY'S COST	COMMUTED COST PER METRE OF ASSESSABLE FRONTAGE	ANNUAL COST PER METRE FOR TEN YEARS
Installation of concrete curbs & gutters and boulevard restoration on Baby Street from Chippawa Street to approximately 85 metres south	\$13,561.93 *	\$10,172.83	\$3,389.10	\$79.00	\$9.69

* Local Improvement component only. Total cost of the work is \$1,500,000, including reconstruction of the sewers and pavement with the cost of watermain replacement born by WUC.

The balance of the cost is for the above-noted reconstruction, which will be a charge, pending approval, to the 2014 Capital Works Budget.

** 3.90% interest rate is applied over the ten years of annual payment period.



THE CORPORATION OF THE CITY OF WINDSOR - ENGINEERING DEPARTMENT

LOCAL IMPROVEMENT WORK ON BABY STREET
FROM CHIPPAWA ST. TO 85 M SOUTHERLY - PROPOSED CURB & GUTTER

SCALE: 1:1000 DATE: OCTOBER 2013 DWG. NO. C-3211
 DWN BY: JL CHECKED BY: PJU/JH

Marian Drouillard
 Marian Drouillard, Manager of Geomatics