

Subject: Alternate Locate Agreements

File Number: ACS2023-IWS-WL-0002

Report to Environment and Climate Change Committee on 20 June 2023

and Council 28 June 2023

Submitted on June 9, 2023 by Marilyn Journeaux, Director Water Linear and Customer Services, Infrastructure and Water Services Department and by Carol Hall, Associate Director Traffic Services, Public Works Department

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Ward: Citywide

Objet: Ententes visant la substitution de la localisation

Numéro de dossier : ACS2023-IWS-WL-0002

Rapport présenté au Comité de l'environnement du changement climatique

Rapport soumis le 20 juin 2023

et au Conseil le 28 juin 2023

Soumis le 9 juin 2023 par Marilyn Journeaux, directrice, Eau linéaire et services à la clientèle, Direction générale des services d'infrastructure et d'eau ainsi que Carol Hall, directrice adjointe, Services de la circulation, Direction générale des travaux publics

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Quartier : À l'échelle de la ville

REPORT RECOMMENDATION(S)

That the Environment and Climate Change Committee recommend Council delegate authority to the General Manager, Infrastructure & Water Services, or designate, and to the General Manager of Public Works, or designate, to approve, execute and amend Alternate Locate Agreements as described in this report.

RECOMMANDATION(S) DU RAPPORT

Que le Comité de l'environnement et du changement climatique recommande que le Conseil municipal délègue à la directrice générale des Services d'infrastructure et d'eau, ou à son mandataire, et au directeur général des Travaux publics, ou à son mandataire, le pouvoir d'approuver, de mettre en œuvre et de modifier des ententes visant la substitution de la localisation comme le décrit le présent rapport.

BACKGROUND

Ontario One Call was established in 1996 to protect buried infrastructure by linking those planning to excavate with infrastructure owners (members). Members include Ontario municipalities and “every person or entity that owns or operates underground infrastructure that crosses a public right of way...”¹. In 2012, the [Ontario Underground Infrastructure Notification System Act \(2012\)](#) was enacted. This legislation required those planning to dig to contact Ontario One Call prior to excavating.

In April 2022, [Bill 93](#) received Royal Assent. Bill 93 amends the *Building Broadband Faster Act, 2021* and *Ontario Underground Infrastructure Notification System Act (2012)* and requires members to respond to standard locate requests within five business days, and to emergency locate requests within two hours. This change adjusted the previous guideline to a requirement.

Alternate Locate Agreements are an effective tool, helping to ensure low-risk locates are addressed in a timely manner, reducing wait times for excavators and providing the

¹ [Ontario Underground Infrastructure Notification System Act, 2012, S.O. 2012, c. 4](#), Section 5(1)(7)

opportunity for staff to focus on more complex locates while ensuring the protection of the City's underground infrastructure.

DISCUSSION

Based on the effectiveness of Alternate Locate Agreements and new legislative requirements stemming from Bill 93, staff are seeking delegation of authority to approve, execute and amend these agreements.

Staff propose the use of these locate agreements for low-risk work deemed to have minimal risk of damage to City-owned underground infrastructure, such as water, sewer, streetlighting and traffic signal infrastructure. The potential number of these agreements entered into will be limited due to the restrictions on type of work, depth, and excavation technique. Review and approval by the appropriate management team: Water Distribution, Wastewater Collection, or Traffic Services management, will be required prior to executing an Alternate Locate Agreement.

From 2020 to 2022, Infrastructure & Water Services received on average 55,856 Ontario One Call locate requests annually. In 2022, there were 51,370 locate requests received, including 50,299 standard and 1,071 emergency requests.

From 2020 to 2022, Traffic Services received on average 67,000 Ontario One Call locate requests annually. In 2022, there were 59,884 locate requests received, including 58,044 standard and 1,800 emergency requests.

Traditional Field Locates

To complete a traditional field locate, Field Locators attend the proposed excavation site. Using site plans, mapping, and drawings, along with conductive or inductive tracing equipment and techniques, Field Locators identify the location of underground utilities using paint and flags and prepare a detailed locate sketch, including measurements, for submission to the excavator requesting the locate through Ontario One Call.

Alternate Locate Agreements

Alternate Locate Agreements are contractual arrangements between the owner of underground infrastructure and an excavator. The owner of underground infrastructure determines the allowable work and the terms and conditions upon which the work may proceed without traditional field locates. These are typically used for low-risk and shallow excavations. Under an Alternate Locate Agreement, the excavator provides a specific identifier linked to its Agreement when requesting a locate through Ontario One

Call. Ontario One Call would then provide clearance to proceed with the work based on the request and the identifier, and the locate request would not be sent to the City.

One of the main objectives of Alternate Locate Agreements is to create efficiencies while ensuring that the excavation work will not damage underground infrastructure.

Ontario One Call supports the use of Alternate Locate Agreements for work that is deemed low-risk to infrastructure such as hand digging or vacuum excavation. Additionally, industry best practices² includes the use of Alternate Locate Agreements. Finally, evidence of this work being low-risk to infrastructure is provided through industry data which shows that the likelihood of damage to infrastructure through digging using an Alternate Locate Agreement is 1 in 500,000 as compared to the likelihood of damage through digging with a traditional locate is 1 in 700. The likelihood of damage to infrastructure through digging without any locate remains high at 1 in 300³.

Measures to divert the number of incoming Ontario One Call locate requests, such as Alternate Locate Agreements, will assist the City in meeting the new statutory timelines while supporting City capital projects. Late locates can delay City capital projects and potentially increase construction costs in either resourcing or equipment.

The potential number of Alternate Locate Agreements entered into will be limited due to the restrictions on type of work, depth, and excavation technique. However, the number of locate requests diverted through this process can be significant. For example, from their April 2020, *Locate Alliance Consortium Update Report*, the Region of Peel reduced the number of water and sewer locates performed by 18,532 (2018) and 23,415 (2019) through the use of Alternate Locate Agreements. Traffic Services anticipates an annual reduction of approximately 10 per cent in streetlighting and traffic signal locates through the use of Alternate Locate Agreements.

While this option alone will not be sufficient to fully address the anticipated volume of locate requests within the required timeframes, Alternate Locate Agreements, in conjunction with other recently introduced changes within Infrastructure and Water Services, such as weekly locate coordination meetings, additional seasonal administrative staff and temporary Field Locators, and updates to the Maintenance Management System to improve locate request administration, could reduce the time required to process and provide locates, while reducing the demands on staff.

² [Canadian Common Ground Alliance - Best Practices \(canadiancga.com\)](https://www.canadiancga.com) version 4, 2022, Section 3-19

³ [Dirt Report - ORCGA | Ontario Regional Common Ground Alliance](https://www.orcga.com)

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

LEGAL IMPLICATIONS

There are no legal impediments associated with implementing the recommendation of this report.

COMMENTS BY THE WARD COUNCILLOR(S)

The report is city wide.

ADVISORY COMMITTEE(S) COMMENTS

There was no advisory committee consultation as part of this report.

CONSULTATION

There was no consultation for this report.

ACCESSIBILITY IMPACTS

There are no accessibility impacts to approving the recommendations of this report.

ASSET MANAGEMENT IMPLICATIONS

Work performed under an Alternate Locate Agreement will be limited by the type of work, depth, and excavation technique. Review and approval by the appropriate City departments including Water Distribution, Wastewater Collection, Asset Management and Traffic Services, will be required to proceed with an Alternate Locate Agreement to assess impact to surface assets and remedial measures.

CLIMATE IMPLICATIONS

There are no climate implications to approving the recommendations of this report.

DELEGATION OF AUTHORITY IMPLICATIONS

This report requests delegated authority for the General Manager, Infrastructure & Water Services and the General Manager, Public Works, or their designates, to approve, amend and execute standard form Alternate Locate Agreements for low-risk work deemed to have minimal damage risk to City-owned underground infrastructure,

such as water, sewer, streetlighting and traffic signal infrastructure. The exercise of delegated authority shall be reported to the appropriate Standing Committee at least once in each calendar year.

ECONOMIC IMPLICATIONS

An Alternate Locate Agreement would significantly reduce the standard locate time requirements for an excavator which may improve the excavator's ability to complete work in a timely manner or increase efficiency.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications to approving the recommendations of this report.

INDIGENOUS, GENDER AND EQUITY IMPLICATIONS

There are no Indigenous, gender and equality implications to approving the recommendations of this report.

RISK MANAGEMENT IMPLICATIONS

The potential number of Alternate Locate Agreements will be limited due to the restrictions on type of work, depth, and excavation technique. Additionally, review and approval by Water Distribution, Wastewater Collection or Traffic Services management will be required prior to executing an Alternate Locate Agreement.

RURAL IMPLICATIONS

There are no rural implications to approving the recommendations of this report.

TECHNOLOGY IMPLICATIONS

There are no technology implications to approving the recommendations of this report.

TERM OF COUNCIL PRIORITIES

Service Excellence through Innovation – Intelligent infrastructure supports effective, efficient, and economical service delivery. Delegated authority for Alternate Locate Agreements will support the timely execution of these agreements and support the City's ability to process standard locate requests in a timely manner.

SUPPORTING DOCUMENTATION

N/A

DISPOSITION

Upon Council approval, staff in Infrastructure and Water Services Department and in Public Works Department, in consultation with Legal Services, will proceed to finalize and prepare Alternate Locate Agreements for execution.