

**Report to  
Rapport au:**

**Transportation Committee / Comité des transports  
May 4, 2016 / 4 mai 2016**

**and Council / et au Conseil  
May 11, 2016 / 11 mai 2016**

**Submitted on April 14, 2016  
Soumis le 14 avril 2016**

**Submitted by  
Soumis par:  
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**Ward: CUMBERLAND (19)**

**File Number: ACS2016-PAI-PGM-0072**

**SUBJECT: Front-Ending Agreement for the Brian Coburn Boulevard from Mer  
Bleue Road to Tenth Line Road – Revised Costs**

**OBJET: Entente de financement préalable visant le boulevard Brian Coburn,  
du chemin Mer Bleue au chemin Tenth Line – révision des coûts**

## **REPORT RECOMMENDATION**

**That the Transportation Committee recommend that Council authorize an amendment to the front-ending agreement with Tamarack Mer Bleue Corporation, in respect of Brian Coburn Boulevard, from Mer Bleue Road to Tenth Line Road, to permit the payment of an additional \$401,986 including applicable taxes but without indexing, for a revised total upset limit of \$3,426,016, including applicable**

taxes, subject to the execution of an amending front-ending agreement, being to the satisfaction of the Deputy City Manager, Planning and Infrastructure, and the City Clerk and Solicitor.

## **RECOMMANDATION DU RAPPORT**

**Que le Comité des transports recommande au Conseil d'autoriser une modification à l'entente de financement préalable conclue avec Tamarack Mer Bleue Corporation et s'appliquant au tronçon du boulevard Brian Coburn reliant les chemins Mer Bleue et Tenth Line, afin de permettre le versement d'un montant supplémentaire de \$401,986, taxes applicables comprises mais sans indexation, pour un montant total révisé maximal de \$3,426,016, taxes applicables comprises, sous réserve de l'exécution d'un rectificatif, à la satisfaction du directeur municipale adjoint, Urbanisme et Infrastructure, et du greffier municipal et chef du contentieux.**

## **BACKGROUND**

On June 23, 2010 (ASC2010-ICS-PGM-0070), Council authorized the City to enter into a Front-Ending Agreement with Tamarack Mer Bleue Corporation for the design and construction of two lanes of the Brian Coburn Boulevard (formerly known as the Blackburn Hamlet Bypass Extension), from Mer Bleue Road to Tenth Line Road. The arterial road has been designed and constructed and is in use today.

Tamarack Mer Bleue Corporation was required to undertake three major scope changes to the design of the road from Strasbourg Street to Mer Bleue Road; changes which resulted in additional costs beyond the original scope and budget. Furthermore, on June 11, 2014, Council approved an increase on engineering costs up to 15 per cent of the front ending project. This report is to allow the amended costs to be approved and allow payment to proceed.

## **DISCUSSION**

Tamarack Mer Bleue Corporation (hereinafter called "Tamarack") was required through the approval of their subdivisions to front-end the design and construction of the first two lanes of Brian Coburn Boulevard from Mer Bleue Road to Tenth Line Road.

### **Stormwater Drainage**

The Front-Ending Agreement (FEA) (OC1393461) with Tamarack to construct Brian Coburn Boulevard was registered August 1, 2012. Neither the FEA nor the front-ending

report includes an allowance for over sizing costs from the City for the east and west trunk sewers. The East and West trunk sewers are large diameter storm sewers which convey stormwater from Brian Coburn Boulevard to the N5 stormwater pond. At this time, the Area Specific Stormwater Development Charges By-law included the east and west trunks as part of the special area charge for Area E6. However, in the 2014 Development Charges Background Report and Council Motion No. 76/6 of June 11, 2014 there was the removal of the east and west trunk sewers and the assigning of \$1,475,433.40 for the west trunk sewer to Tenth Line Road project account. As a result of the removal of the east line trunk from the special area charge Tamarack has asked the City pay for a portion of the over-sizing for the "east trunk" for storm water drainage from Brian Coburn Boulevard in the amount of \$78,512. Staff concur that this is an appropriate use of arterial road development charges.

### Engineering Costs

The main issue delaying construction of Phase II of Brian Coburn Boulevard was the lack of a suitable storm sewer outlet. To allow construction to proceed, three significantly different stormwater options were explored in some detail, a rural cross-section, a hybrid rural/urban cross-section and a full urban standard. The consultant retained by Tamarack was ultimately able to design a full urban standard with a storm sewer outlet. However, as a result of the design changes that the project underwent as it was being developed, Tamarack has asked that the FEA be amended to account for these additional costs. Staff concur that the engineering necessary for this project was above what normally would be required.

### Revised Costs

Tamarack has been paid for the full construction costs plus 10 per cent engineering costs plus 15 per cent contingencies as described in the FEA. Tamarack is seeking an additional \$356,531 in engineering and other soft costs and \$78,512 for east trunk sewer over sizing. The original front-ending agreement is for \$3,024,030. The agreement will be revised to \$3,426,016. Staff support this request and are recommending approval. No indexing will be provided on this additional reimbursement.

### **RURAL IMPLICATIONS**

There are no rural implications associated with this report.

## CONSULTATION

All development approvals were conducted according to the requirements of the *Planning Act* and the City's own policies. All necessary consultation was conducted in accordance with the *Environmental Assessment Act* and/or the *Canadian Environmental Assessment Act*. The front-ending entities agree to the process outlined herein.

## COMMENTS BY THE WARD COUNCILLOR

Councillor Blais provided the following comment:

"I am aware of the report and agree".

## LEGAL IMPLICATIONS

There are no legal impediments to the adoption of the recommendation in this report.

## RISK MANAGEMENT IMPLICATIONS

There are no risk management implications association with the recommendation in this report.

## ASSET MANAGEMENT IMPLICATIONS

The recommendations documented in this report are consistent with the City's Comprehensive Asset Management (CAM) Program ([City of Ottawa Comprehensive Asset Management Program](#)) objectives.

Entering into a third party infrastructure agreement, in this case, between the City and Tamarack for the completed design and construction of two lanes of the Brian Coburn Boulevard (formerly Blackburn Hamlet Bypass Extension), from Mer Bleue Road to Tenth Line Road supports a level of service expectation and what needs to be done to achieve those levels.

## FINANCIAL IMPLICATIONS

Revised costs for Brian Coburn Boulevard (Mer Bleue Road to Tenth Line Road) are shown in the below table.

	Existing Upset	Increase (Decrease)	Revised Upset Limit

	<b>Limit</b>		
A. Construction – first two lanes of Brian Coburn Boulevard	\$2,377,383	(\$40,714)	\$2,336,669
B. Engineering	\$237,738	\$118,869	\$356,607
C. 15% Contingency	\$356,607		\$356,607
D. Additional engineering and other soft costs		\$237,662	\$237,662
E. Storm sewer over sizing		\$78,512	\$78,512
F. Non recoverable tax (1.76%)	\$52,302	\$7,657	\$59,959
<b>Total Eligible Costs under the Front-Ending Agreement</b>	<b>\$3,024,030</b>	<b>\$401,986</b>	<b>\$3,426,016</b>

Funding for the \$401,986 increase is available within 907132 Brian Coburn (Navan to Mer Bleue), and will be transferred to 903164 DCA Brian Coburn (Mer Bleue to Tenth Line), for DCA payment and tracking purposes.

### **ACCESSIBILITY IMPACTS**

All infrastructures will be designed in accordance with all relevant legislation and regulations.

### **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

TM2 – Provide and promote infrastructure to support safe mobility choices.

FS2 – Align strategic priorities to Council’s financial targets.

### **SUPPORTING DOCUMENTATION**

Document 1 Map of Area

### **DISPOSITION**

Legal Services to prepare the final form of the amending agreement in consultation with the Planning and Growth Management Department.

The Treasurer will earmark funds for repayment as noted in this report.

# Document 1 – Location Map of Brian Coburn Boulevard formerly known as Blackburn Hamlet Bypass Extension

