REPORT "A" OF THE

STANDING POLICY COMMITTEE ON PUBLIC WORKS

DATED JULY 7, 1998

On motion of Councillor Timm-Rudolph, Report "A" of the Standing Policy Committee on Public Works, dated July 7, 1998, was considered.

Streetscape Old St. Vital Business Improvement Zone
File SC-3.12 (Vol. 12)

1073 - 5. On February 18, 1997 Council approved funding in the amount of $700,000.00 from the Manitoba/Winnipeg Community Revitalization Program for the Old St. Vital Business Improvement Zone Streetscaping Program.

The first phase of this Project has been designed by Hilderman, Thomas, Frank, Cram Landscape Architects and was scheduled to go to tender on May 19, 1998.

The first phase of the Project includes:

. A structural sidewalk and overlook on the west side of St. Mary's Road from Vivian Avenue to Harrowby Avenue including new decorative lighting.

. A mid-bank riverside trail and landscaping from Vivian to Harrowby.

. Renewal of the median with hard surfacing, planters and banners.

West Sidewalk:

The existing west sidewalk is approximately 1.55 m wide. It is supported on timber piles due to the drop off towards the Red River. The proposed sidewalk is 2.95 m wide. It will be supported on new concrete piles and a grade beam. There will be a safety curb at the roadway, a bridge railing with both decorative lighting and relocated streetlights. This will enhance both pedestrian and vehicular safety and aesthetics. Primarily due to the structural nature of this sidewalk the Project is estimated to cost $1,050,000.00.

Funding:

In addition to the $700,000.00 funding approved for this Project additional funding in the amount of $150,000.00 is being provided from sidewalk renewal, curb renewal and boulevard hard surfacing accounts.

There is a funding shortfall based on the Project estimates of approximately $200,000.00. The Old St. Vital BIZ is actively pursuing funding from Federal and Provincial Programs. The $150,000.00 of additional City dollars will be available to match these contributions when they are approved.

In the event that the additional Federal and/or Provincial funding is not approved by the date of contract award in mid-June it may be necessary to delete some items from the contract to meet the funding available at the time of award. It is anticipated that we will be able to add these items back in if the Federal or Provincial funding becomes available.

In accordance with City Policy, an Agreement for the funding of ongoing maintenance and operating costs for the Streetscape Capital Improvements, between the BIZ and the City, has been negotiated and is expected to be signed soon.

Report "A" of the Standing Policy Committee on Public Works dated July 7, 1998

The Standing Policy Committee on Public Works recommends:

I. That additional funding in the amount of $200,000.00 needed to complete the Old St. Vital Business Improvement Zone Streetscaping Project be approved and be referred to the Standing Committee on Fiscal Issues to determine the source of funding.

II. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

On July 13, 1998, the Standing Committee on Fiscal Issues recommended that the request be denied inasmuch as a source of funding could not be identified.

On July 15, 1998, the Executive Policy Committee referred the clause back to the Standing Committee on Fiscal Issues.

On August 31, 1998, the Standing Committee on Fiscal Issues recommended that the matter be referred to the Chief Financial Officer for further review and report back within 30 days.

On September 22, 1998, the Standing Committee on Fiscal Issues considered a report from the Chief Financial Officer and concurred in the recommendation contained therein, namely, that the current shortfall of $55,000 in Project Funding for Phase I of this Project be the first charge against the 1999 Capital Program for Streetscaping for St. Anne's/St. Mary's Roads.

The Executive Policy Committee does not concur in the recommendations of the Standing Policy Committee on Public Works and concurs in the recommendation of the Standing Committee on Fiscal Issues, namely, that the current shortfall of $55,000 in Project funding for Phase I of this Project be the first charge against the 1999 Capital Program for Streetscaping for St. Anne's/St. Mary's Roads.

Moved by Councillor Timm-Rudolph,
Adoption of the clause.

Moved by Councillor Golden,
That the clause be referred back to the Standing Committee on Fiscal Issues.

Carried.

REPORT OF THE

STANDING POLICY COMMITTEE ON PUBLIC WORKS

DATED SEPTEMBER 15, 1998

On motion of Councillor Timm-Rudolph, the Report of the Standing Policy Committee on Public Works, dated September 15, 1998, was considered clause by clause.

Moved by Councillor Timm-Rudolph,
That the Consent Agenda, Clauses 1,2,3,4,5,6,7,8,9 and 10, be adopted.

Councillor Murray requested that Clause 2 be pulled from the Consent Agenda.

1074 - Councillor Thomas asked to be recorded as having voted against Clauses 3 and 9, in accordance with Rule 50.7 of the Procedure By-law.

1075 - Councillor Angus asked to be recorded as having voted against Clause 5, in accordance with Rule 50.7 of the Procedure By-law.

The motion to adopt the Consent Agenda, Clauses 1,3,4,5,6,7,8,9 and 10 was put and declared carried.

Repeal of Lot Grading By-law 4569/87 and Adoption of new Lot Grading By-law
File SD-1 (Vol. 2)

1076 - 1. The Standing Policy Committee on Public Works has been advised that on February 25, 1998, Council adopted Clause 7 of the Report of the Executive Policy Committee dated February 18, 1998, and accordingly, authorized the following:

1. That the provision of lot grading field survey and staking services by City forces be discontinued for the development of residential properties.

2. That the administration and regulation of lot grading, including issuing permits, records keeping, collecting and releasing damage deposits, and by-law enforcement be continued.

3. That amendments to the Lot Grading By-law No. 4569/87, being a By-law to regulate the grading of property and to establish lot grade elevations, be prepared and submitted to Council for approval to:

    a) delete the reference to the City or its agent providing building lot grading survey and staking services;

    b) incorporate provisions requiring that the Builder of new residential properties be responsible for undertaking and paying for all costs for lot grading survey and field staking services;

    c) incorporate provisions requiring that the Builder of new residential properties be responsible for preparing and paying all costs for lot grading design in infill situations;

    d) amend the lot grading permit fee to $100.00 from the current fee of $200.00; and

    e) allow the regulation of Land Surveyors and Engineering companies permitted to carry out field survey and staking services on behalf of Builders within the City of Winnipeg.

4. That a minimum sixty (60) day notice period be provided to the Manitoba Home Builders' Association prior to the said By-law changes coming into effect.

5. That the possibility of combining the damage deposit for lot grading with the damage deposit for streets be investigated.

Report of the Standing Policy Committee on Public Works dated September 15, 1998

In order to realize implementation of the Council directive, adoption of a new by-law rather than amendments to the existing Lot Grading By-law has been recommended by the Legal Services Division, to avoid confusion as several amendments to the existing by-law already exist.

The most significant difference in the proposed new Lot Grading By-Law is the change that will cause the discontinuation of the City's, or its agent's, provision of lot grading field survey and staking services. The City of Winnipeg, Water and Waste Department, will continue to administer all aspects of the by-law, including by-law enforcement. Home builders will still be required to obtain lot grading permits, however at a fee reduced from $200.00 to $100.00. Builders will be required to employ private surveyors, as defined by the Lot Grading By-Law, for the field setting of the approved lot grades. The proposed by-law will allow for the regulation of lot grading surveyors by stipulating that such persons be a Manitoba Land Surveyor or a licenced Professional Engineer. It therefore follows that local Engineering Consultant and Land Survey firms will be utilized by home builders to conduct the lot grading survey works for the development of residential properties.

The new by-law will also require home builders to be responsible for preparing and paying all costs for lot grading design for re-development (infill) of residential lots.

The Report of the Executive Policy Committee recommended that the possibility of combining the damage deposit under the Streets By-law 1481/77 with the lot grading deposit under the Lot Grading By-law. Legal Services Division has advised against the use of the Lot Grading By-Law to regulate this provision of the Streets By-Law, as the intents of the two by-laws are very different. Concerns exist related to the provision of a singular deposit, as the deposit would have to secure performance and protect against risks for two different situations. These concerns extend to the City's ability to ensure adequate monetary security and to seek remedies for default of lot grading or damage to City plant.

The recommendation also specified a minimum sixty (60) day notice period be provided to the Manitoba Home Builders' Association prior to the by-law changes coming into effect. Written communication about the proposed changes to the Lot Grading By-law has been sent to the Home Builders' Association and notices have been posted in various City of Winnipeg offices for the information of those home builders who do not belong to the Home Builders' Association. The intended effective date for implementation of lot grading changes and administration of the new by-law will occur on January 1, 1999. Home builders and developers will be notified a minimum of sixty (60) days prior to the effective date as well as the Engineering Consultant and Land Survey firms. The Water and Waste Department is currently developing a communication protocol and exploring the use of various associations such as the Association of Professional Engineers of Manitoba, Certified Technicians and Technologists Association of Manitoba Inc., Manitoba Home Builders Association, and the Urban Development Institute, etc., to convey information on the pending change.

The Standing Policy Committee on Public Works recommends:

I. That Lot Grading By-Law No. 4569/87 be repealed as of December 31, 1998, and that proposed Lot Grading By-law No. 7294/98, be adopted by Council, and come into force and effect January 1, 1999.

II. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

Adopted by consent.

Award of Contract for the Mechanical Collection of Solid Waste from Apartment and Small Commercial Establishments - Tender Nos. P.D. 97-105, 106 and 107
File GL-9 (Vol. 11) [c/r WT-1 (Vol. 18)]

1077 - 2. The Standing Policy Committee on Public Works has been advised that in March of 1997, Executive Policy Committee outlined several restructuring initiatives in the "Reshaping Our Civic Government" document. Two initiatives in the solid waste area were to study the privatization of the Brady Road Landfill, and to pursue the full contracting out of all solid waste functions by the year 2000.

Report of the Standing Policy Committee on Public Works dated September 15, 1998

The multi-year contracts for the Mechanical Collection of Solid Waste from Apartment and Small Commercial Establishments expired on January 31, 1998. Tenders for new multi-year contracts for the period from February, 1998 to January, 2001, were advertised in the Winnipeg Free Press on August 18, 1997.

On November 19, 1997, Council awarded three contracts for the collection of solid waste from apartment and small commercial establishments to Canadian Waste Services for a one-year term for the period February 1, 1998 to January 31, 1999, with provisions to extend the contracts for two consecutive one-year terms subject to funding approval in subsequent years.

Council also approved:

That the Administration review the feasibility of:

i) providing for collection of solid waste from apartments and small commercial establishments in-house;

ii) replacing existing refuse collection bins with smaller autobins;

iii) implementing recycling services for small commercial establishments and multiple-family dwellings; and

iv) discontinuing the collection of solid waste from small commercial establishments and multiple-family dwellings.

That the "Reshaping Our Civic Government" document be amended and the matter of privatization of waste collection be revisited.

An Alternative Service Delivery Study was commissioned on March 9, 1998, by the Water and Waste Department to review options and to provide recommendations for landfill and collection service delivery. In accordance with the CUPE Collective Agreement, the Study incorporated the Business Plan Framework for Alternative Service Delivery developed by the Joint Committee of Council Members and CUPE Representatives.

The Study was completed on July 1, 1998, and the Department's recommendations will be submitted in a report under separate cover.

During the Study, the feasibility of initiatives i) to iv) as recommended by Council on November 19, 1997, were addressed, the conclusions being as follows:

i) In-house collection by City forces is not attractive. This business requires the purchase of new specialty equipment, a new skill set for the operation of the specialty equipment, and the staffing of marketing personnel. According to the Consultant, these costs--compared to the available market share and market expansion potential--do not make this option attractive at this time.

ii) Replacing existing refuse collection bins with smaller autobins is not deemed to be feasible for small commercial establishments. The costs for this would be higher, owing to higher City wage rates, and would require the acquisition of marketing resources, all for a limited available market. However, there has been some success with converting apartments collected by the City to autobin pick-up, and this will be addressed further in the Solid Waste Business Plan.

iii) Implementing recycling services for small commercial establishments and multiple-family dwellings has not been addressed as yet. The single-family residential recycling program receives significant funding support from the Manitoba Product Stewardship Corporation (MPSC). The extent of support that would permit implementing a multi-family program is yet to be negotiated with MPSC. Nevertheless, there would be an increased cost to the City for adding this service. Also, MPSC is currently reviewing the matter of recycling from commercial establishments, which category of premises is not eligible for funding support at this time.

Report of the Standing Policy Committee on Public Works dated September 15, 1998

iv) The City should not discontinue the collection of solid waste from small commercial establishments and multiple-family dwellings at this time. The City currently assumes the responsibility of collection from all residential premises, regardless of type, including small commercial premises. Discontinuing this service, affecting some 90,000 premises, would require extensive consultations with stakeholders (residents and property owners) and by-law amendments.

Because of the timing for expiry of the existing collection contracts and the time necessary to deal with outstanding issues concerning recycling, public consultation, and by-law amendments, it is recommended that the City proceed with awarding the remaining two years of the contracts to Canadian Waste Services, Inc. The outstanding issues will be addressed in development of the solid waste business plan.

Tenders closed on September 9, 1997 for P.D. 97-105, September 10, 1997 for P.D. 97-106 and September 11, 1997 for P.D. 97-107 with bids being received as shown in the three Tender Tabulations, identified as Appendix "A". A summary of the tender submissions received can be found in Appendix "B". In all cases, the recommended tender submissions are for the lowest bid submitted meeting all requirements of the specifications.

These Contracts will be awarded for a two year period. Clause BI:23 "Award of Contract" states that a Contract award for a multi-year period is subject to approval of funds by City Council, and that, in the event funding is not approved for a particular year, no work will be performed under this Contract and the City will have no obligation to pay the Contractor for that year. Funds for this work are included every year in the Annual Current Estimates, Account No. 01 552404 610302.

Engineering staff of the Water and Waste Department are satisfied that the low tenderer has the necessary resources to perform all of the work in accordance with the requirements of the specifications. The Contractor has satisfactorily carried out previous construction works of a similar nature.

The tender submitted by Canadian Waste Services Inc. meets all requirements of the specifications and was accompanied by a Bid Bond and an Agreement to Bond which have been certified by Legal Services. A Performance Bond is presently in place for a one year contract.

The award of these three contracts was approved by the Expenditure Management Committee on July 15, 1997, acting under the direction of the Executive Policy Committee as contained in a resolution ratified by Council on May 28, 1997.

A financial impact statement for this project has been prepared in accordance with the recommendation contained in a report dated November 18, 1997, submitted to and as concurred in by the Standing Committee on Fiscal Issues on November 24, 1997.

The Standing Policy Committee on Public Works recommends:

I. That a contract for Mechanical Collection of Solid Waste from Apartment and Small Commercial Establishments within the South West Sector (P.D. 97-105) be awarded for the period February 1, 1999 to January 31, 2001, in the conditional amount of $689,301.12 per year to Canadian Waste Services Inc., the lowest bidder meeting the specifications.

II. That a contract for Mechanical Collection of Solid Waste from Apartment and Small Commercial Establishments within the North East and South East Sectors (P.D. 97-106) for the period February 1, 1999 to January 31, 2001, in the conditional amount of $1,135,511.55 per year be awarded to Canadian Waste Services Inc., the lowest bidder meeting the specifications.

III. That a contract for Mechanical Collection of Solid Waste from Apartment and Small Commercial Establishments within the West Central and North West Sectors (P.D. 97-107) for the period February 1, 1999 to January 31, 2001, in the conditional amount of $1,115,119.34 per year be awarded to Canadian Waste Services Inc., the lowest bidder meeting the specifications.

IV. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Report of the Standing Policy Committee on Public Works dated September 15, 1998

Moved by Councillor Timm-Rudolph,
Adoption of the clause.

The motion for the adoption of the clause was put.

The Speaker called for the yeas and nays, which were as follows:-

Yea: Councillors Prystanski, Angus, O'Shaughnessy, Silva, Steek, Timm-Rudolph, Deputy Mayor Eadie, Her Worship Mayor Thompson and Councillor Clement. 9

Nay: Councillors Golden, Lazarenko, Lubosch, Murray, Thomas and Vandal. 6

and the motion for the adoption of the clause was declared carried.

Award of Contracts for the Clearing and Hauling of Snow on portions of the Regional and Local Street Systems during the 1998/99 Winter Season
File GL-9 (Vol. 11) [c/r SC-3.6 (Vol. 18)]

1078 - 3. The Standing Policy Committee on Public Works has been advised that tenders for the clearing and hauling of snow on portions of the Regional and Local Street Systems were advertised on Tuesday, August 4, 1998 and Monday, August 10, 1998. The contracts were priced primarily on the basis of one snow clearing operation on the Priority I (Regional) street system, three clearing operations on the Priority II (Bus Route and Collector) street system and three snow clearing operations on the Priority III (Residential) street system which is considered representative of the average work requirement based on the experience of the last ten years. Hourly equipment work for truck plows, snow hauling and loader and grader works was also included in the contracts.

Bids for the clearing and hauling of snow were received from ten (10) contractors and a summary of the tender submissions for each contract are outlined in Appendix "A". The Tender Submission recommended for acceptance in each case is the lowest evaluated responsive bid meeting all of the requirements of the specifications.

The Tender Package for Tender No. P.D. 98-114 in the South Area contained the work that was tendered in previous years as two tenders. The work was combined into one Tender Package and was tendered with two alternatives in an attempt to increase the competition for bidding and to reduce the number of tenders. Alternative I was bid as a contract as a whole. Alternative II was bid as a contract in sections with Section A containing the streets in the previous South Area (East) contract and Section B containing the streets in the previous South Area (West) contract. Five bids were received for each alternative. Hugh Munro Construction Ltd. was low bidder on Alternative I at $441,367.42, on Alternative II - Section A at $211,571.19 and on Alternative II - Section B at $230,545.25. The Water and Waste Department considers that the award of Alternative I is in the best interest of the City the total bid price for Alternative 1 is less than the total bid price for Alternative II - Section A and Section B.

Tender Nos. P.D. 98-115 and P.D. 98-117 were tendered as two year packages also in an attempt to increase the competition for bidding and to reduce the number of tenders. The bidders were required to submit bid prices for each year and the total of year 1 and year 2 constituted the total bid price for the contract, which was used for evaluation purposes. Southwood Construction and Utilities Ltd. was low bidder on P.D. 98-115 at a total bid price of $549,241.64, with a subtotal for year 1 of $274,620.82 and a subtotal for year 2 of $274,620.82. Beaver Sewer and Water Services Ltd. was low bidder on P.D. 98-117 at a total bid price of $420,995.24, with a subtotal for year 1 of $215,496.46 and a subtotal for year 2 of $205,995.24.

A historical summary of the unit prices for each contract is presented in Appendices "B" and "C". The summary of the weighted average unit prices for lane-kilometre plowing based on all of the tenders is listed in Appendix "D". The historical average unit price changes for the upcoming season and for the past twelve seasons are as follows:

Report of the Standing Policy Committee on Public Works dated September 15, 1998

1998/99 over 1997/98	6.5% Reduction	1991/92 over 1990/91	7.7% Reduction
1997/98 over 1996/97	1.9% Reduction	1990/91 over 1989/90	13.9%
1996/97 over 1995/96	24.8%	1989/90 over 1988/89	1.7%
1995/96 over 1994/95	2.2%	1988/89 over 1987/88	1.5%
1994/95 over 1993/94	2.2%	1987/88 over 1986/87	17.8%
1993/94 over 1992/93	2.8%	1986/87 over 1985/86	6.1%
1992/93 over 1991/92	0.9% Reduction		

The lapse dates of the six tenders are October 11, 1998 for P.D. 98-113; October 12, 1998 for P.D. 98-114; October 13, 1998 for P.D. 98-115; October 17, 1998 for P.D. 98-116; October 18, 1998 for P.D. 98-117; and October 19, 1998 for P.D. 98-118.

It should be noted, however, that the contract services are expected to commence on October 15, 1998, in the event of snowfall, as identified in the tender documents.

The Manager of the Materials Management Division has advised that each of the Tender Submissions included a Bid Security and a Written Undertaking to provide Performance Security. The City Solicitor/Manager of Legal Services has advised that all of the same are in order except with regard to that submitted by C.J. Rental & Contracting in P.D. 98-114. However, as they were not one of the three lowest bidders a new Bid Bond was not obtained.

It is estimated that a minimum of $200,000.00 based on a below normal snowfall or approximately $700,000.00 based on a normal snowfall will be spent on contract work from the 1998 Snow Clearing and Ice Control Budget for the remainder of 1998. The Departmental Controller has confirmed that there are currently sufficient funds in the 1998 Snow Clearing and Ice Control Budget to cover these estimates. Funds in the amount of $13,500,000.00 were approved for Snow and Ice Control in the 1998 Current Estimates adopted by Council on March 12, 1998. To date, approximately $8,000,000.00 has been expended. The remaining expenditures for 1999 in the contracts will be budgeted in the 1999 Current Estimates for Regional and Local Snow Clearing and Ice Control which is expected to require at minimum the same expenditure budget funds as in 1998.

The tenders being recommended are the low tenders meeting the applicable bidding requirements. The recommended low bidders have the necessary experience and resources to complete the Contracts satisfactorily. All of the documents of the low bidders are in order.

The Streets Maintenance Division has reviewed the work with the lowest evaluated responsive Bidders and have indicated that the firms have the necessary resources to perform all the work in accordance with the requirements of the published tender package. The Contractors have satisfactorily carried out previous works of similar nature for the City of Winnipeg.

The contracts that are being recommended for award are unit price maintenance service contracts. The total amount of the Bids ($2,170,774.10) will not necessarily be the total value of the work completed and paid. The minimum amount paid to the Contractors will be based on the 40% guaranteed minimum (or $868,309.64) in the Contracts. Any amount paid to Contractors above the guaranteed minimum will be dependent on the quantity of snowfall received in the 1998/99 winter season for the one year contracts and in the 1998/99 and 1999/2000 winter seasons for the two year contracts.

It is, therefore, recommended that contracts be awarded to the Contractors identified for the clearing and hauling of snow on portions of the Regional and Local Street Systems in the respective areas of the City of Winnipeg.

In 1998, there is no financial impact associated with this Award of Contracts. The funding has been approved in the 1998 Current Budget (Snow and Ice Control Regional 01-552404-18769001 and Snow and Ice Control Local 01-552404-18769002).

In 1999, there is no financial impact associated with this Award of Contracts provided that normal funding is provided in the 1999 Current Budget for Snow and Ice Control.

Report of the Standing Policy Committee on Public Works dated September 15, 1998

In 2000, there is no financial impact associated with the award of the two 2-year contracts provided that normal funding is provided in the year 2000 Current Budget for Snow and Ice Control.

All costs and impacts are based on normal snowfall for these periods.

Since the funding for the Contracts spans two fiscal years and the 1999 Current Estimates are not yet approved, the award must be approved by Council.

The Standing Policy Committee on Public Works recommends:

I. That Contracts be awarded to the Contractors listed below which submitted the lowest evaluated responsive Bids meeting all of the requirements of the published Tender Packages for the clearing and hauling of snow on portions of the Regional and Local Street Systems in the respective areas of the City of Winnipeg.

Contract No.	Area	Contractor	Total Bid Price
P.D. 98-113	East Area (North)	L. Chabot Enterprises Ltd.	$263,485.00
P.D. 98-114	South Area	Hugh Munro Construction Ltd.	$441,367.42
P.D. 98-115*	North Area (North)	Southwood Construction and Utilities Ltd.	$549,241.64
P.D. 98-116	North Area (East)	J.C. Paving Ltd.	$247,935.70
P.D. 98-117*	East Area (South)	Beaver Sewer & Water Services Ltd..	$420,995.24
P.D. 98-118	North Area (West)	Mulder Construction and Materials Ltd.	$247,749.10
*** Two year contract**		TOTAL	$2,170,774.10

II. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing, including the execution of any documents related thereto.

Adopted by consent.

(See Minute No. 1074 for opposition recorded by Councillor Thomas)

Railway Anti-Whistling Application for Kenaston Boulevard and Fultz Boulevard Crossings of the Canadian Pacific Rail Manitoba Sugar Beet Spur Line
File ER-1.2 (Vol. 14)

1079 - 4. The Standing Policy Committee on Public Works has been advised that pursuant to amendments to The Railway Safety Act in 1989, road authorities are now required to arrange Anti-Whistling procedures at railway grade crossings, conditional upon:

(a) concurrence by the railway;
(b) review and approval of Transport Canada, from a safety perspective;
(c) enactment of an Anti-Whistling by-law by the road authority for each crossing; and,
(d) in the case of Canadian Pacific Rail crossings, execution of an Anti-Whistling Agreement and payment by the road authority of 50% of the annual liability insurance premium for each crossing (the current fee being $1,200.00 per crossing per year).

The Insurance Branch of the Corporate Finance Department is prepared to fund the City's annual $1,200.00 obligation for the proposed two additional crossings, provided the City's total annual requirement for Canadian Pacific Rail crossing Anti-Whistling liability insurance coverage be approved as an integral added component within the City's annual Tax-Supported Budget. Approval of the two crossings would increase the total number of such crossings to nine, and increase the total annual insurance fee to $5,400.00.

Report of the Standing Policy Committee on Public Works dated September 15, 1998

The Legal Services Division is of the view that the City has no viable alternative but to accept the Canadian Pacific Rail's offer to cost-share liability coverage for each of Canadian Pacific Rail's crossings where Anti-Whistling procedures are introduced. (The many Canadian Pacific Rail crossings at which Anti-Whistling was in effect prior to 1989 are not subject to such annual insurance fees).

During several public Open Houses in 1997 at which the design of the new Bishop Grandin Boulevard to Kenaston Boulevard arterial street connection was discussed, Whyte Ridge residents expressed concern that Anti-Whistling procedures be provided at the new railway grade crossing on Kenaston Boulevard to keep additional train noise to a minimum. The City indicated it would apply for an Anti-Whistling regulation for this crossing, hopefully negotiating its introduction by the time the new thoroughfare would be open.

The train speed limit on the Canadian Pacific Rail Manitoba Sugar Beet Spur is 15 miles per hour, thus the normal statutory obligation for all approaching trains would be to whistle for a one-quarter mile distance in advance of the Kenaston Boulevard crossing, all trains thus having to whistle for at least 60 seconds. Scheduled train movements average about two trains per day, although there may tend to be increased activity in spring and fall, and railway operations in general increasingly occur at night.

It is recommended that the City also make application for Anti-Whistling at the nearby at-grade crossing of the Canadian Pacific Rail Manitoba Sugar Beet Spur track at Fultz Boulevard on the basis that:

(a) eastbound trains begin to whistle for the crossing at Fultz Boulevard at a point just west of the new Kenaston Boulevard crossing, and still immediately south of the Whyte Ridge neighbourhood;
(b) the crossing at Fultz Boulevard is equipped with railway crossing warning signals;
(c) the crossing at Fultz Boulevard appears to meet all the regular safety-related criteria established by Transport Canada, such that no additional infrastructure costs would be needed to establish Anti-Whistling thereat; and
(d) an Agreement for Anti-Whistling at Fultz Boulevard would cost $600.00 annually for the required Anti-Whistling liability insurance coverage.

It is believed that both crossings meet all the safety-related requirements imposed by Transport Canada as necessary pre-conditions for an Anti-Whistling regulation at each crossing, although formal field inspection of the crossings by City of Winnipeg, Canadian Pacific Rail and Transport Canada staff have yet to occur.

An increase within the Tax-Supported Budgets of the Corporate Finance Department of $1,200.00 per year is required to establish Anti-Whistling at these two locations, being $600.00 per crossing per annum, or 50% of the annual insurance premiums borne by Canadian Pacific Rail on a nationwide basis for the provision of liability insurance coverage. The Anti-Whistling liability insurance coverage is secured by Canadian Pacific Rail, which agency reviews the fee and invoices road authorities for their share on an annual basis, in accordance with the Anti-Whistling Agreements for each separate crossing.

There is no other financial impact to the City related to this matter. The City's share of costs for the installation and the on-going maintenance of automatic railway crossing warning signals at both crossings, although substantial, do not relate specifically to Anti-Whistling. The railway warning signals are mandated and essential for railway crossing safety purposes, separate and distinct from the Anti-Whistling issue.

The Standing Policy Committee on Public Works recommends:

I. That the City Solicitor/Manager of Legal Services be requested to prepare an Anti-Whistling by-law for the following railway grade crossings, for submission to Council, namely:

   a) Kenaston Boulevard - Canadian Pacific Rail Manitoba Sugar Beet Spur, Mileage 1.53, and

   b) Fultz Boulevard - Canadian Pacific Rail Manitoba Sugar Beet Spur, Mileage 1.72.

II. That the necessary agreement between the City of Winnipeg and Canadian Pacific Rail be duly executed to establish Anti-Whistling at the subject crossings.

III. That an annual increased expenditure of $1,200.00, as the City's share of liability insurance coverage for these two crossings, be approved.

Report of the Standing Policy Committee on Public Works dated September 15, 1998

IV. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing, including the execution of any documents related thereto.

Adopted by consent.

Designation of University Crescent, between Pembina Highway and Chancellor Matheson Road, as a Part-Time Truck Route File ST-5.2 (Vol. 25)

1080 - 5. The Standing Policy Committee on Public Works at its meeting held on February 10, 1998, in response to concerns expressed from area residents through the Ward Councillor, resolved that the existing 50 km/h speed limit on University Crescent, between Pembina Highway and Chancellor Matheson Road not be increased. Committee also requested a report on the feasibility of establishing a Truck Route other than University Crescent for this area, i.e. Chancellor Matheson Road. A further request was made to review the feasibility of posting University Crescent as "Not a Truck Route" to alleviate vibrations being experienced by fronting residents.

On May 12, 1998, the Standing Policy Committee on Public Works considered and concurred in the recommendation contained in the administrative report dated May 1, 1998, namely, that the Full-Time Truck Route designation on University Crescent, between Pembina Highway and Chancellor Matheson Road, be rescinded.

Council at its meeting held on May 27, 1998, adopted Clause 5 of the Report of the Standing Policy Committee on Public Works dated May 12, 1998, and subsequently approved By-law No. 7232/98, which amended The City of Winnipeg Traffic By-law No. 1573/77 to delete University Crescent, between Pembina Highway and Chancellor Matheson Road, from the Truck Route System, on June 25, 1998. The necessary adjustments in sign postings to give effect to such a change in the Truck Route status on University Crescent was completed on July 20, 1998.

The Standing Policy Committee on Public Works at its meeting held on August 25, 1998, heard representation from the Manitoba Trucking Association in regard to the decision to rescind University Crescent, between Pembina Highway and Chancellor Matheson Road, as a Full-Time Truck Route and requested that the Administration revisit this matter.

University Crescent is a Regional Street which has been designed and constructed to a higher standard of thickness and strength than local streets. The vast majority of Regional Streets in the City of Winnipeg are also Truck Routes. The Department of Public Works, in its report dated May 1, 1998, recommended that the Full-Time Truck Route designation on University Crescent, between Pembina Highway and Chancellor Matheson Road, be rescinded, since the bulk of the truck activity in this area is oriented to the University of Manitoba, and Chancellor Matheson Road could adequately serve such trucks.

While a Full-Time Truck Route is in effect 24 hours a day, 7 days a week, a Part-Time Truck Route is only in effect between 07:00 and 19:00, Monday to Saturday, inclusive. The results of a study undertaken on April 6, 7 and 8, 1998, when University Crescent was a Full-Time Truck Route, showed that there is essentially no demand for truck movements on this street at night and on Sundays. That is, of the approximate 100 trucks recorded in a typical 15 hour weekday between 07:00 and 22:00, only one was recorded in the three hour period between 19:00 and 22:00. Furthermore, 90% of the trucks recorded during the study were observed to be small trucks, consisting of single chassis vehicles with just six tires. By comparison, semi-trailers have 18 tires. The study showed that 394 buses traveled on University Crescent in the 15 hour period. This volume of buses is approximately four times greater than the 100 trucks that traveled on this street in this time period. Many of these buses are generally larger and heavier than single chassis six tire trucks. With Chancellor Matheson Road as the only available Truck Route in this area, some truck operators, particularly those oriented to/from the University of Manitoba and the City Centre deem the routing to be unnecessarily circuitous.

Designating University Crescent, between Pembina Highway and Chancellor Matheson Road, as a Part-Time Truck Route will result in an interconnected Truck Route System within this area. Such a Part-Time Truck Route designation will also reduce the trip length and time, which ultimately is reflected in a lower purchase price for goods and services that are transported by trucks. The Manitoba Trucking Association, has no objection to the designation of University Crescent as a Part-Time Truck Route, as in their opinion, the majority of trucks on University Crescent are oriented to either the University of Manitoba or the Southwood Golf and Country Club, and generally only during the day on weekdays.

Report of the Standing Policy Committee on Public Works dated September 15, 1998

There are no financial implications associated with the proposal.

The Standing Policy Committee on Public Works recommends:

I. That University Crescent, between Pembina Highway and Chancellor Matheson Road, be designated as a Part-Time Truck Route.

II. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law to amend The City of Winnipeg Traffic By-law No. 1573/77.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Adopted by consent.

(See Minute No. 1075 for opposition recorded by Councillor Angus)

Local Improvement Project - Lane Lighting on all lanes in the block bounded by Oakview and Dunrobin Avenues, Woodvale Street and Kildonan Drive
File SL(1998) (Vol. 1)

1081 - 6. The Standing Policy Committee on Public Works has been advised that a "Petition For", representing 61.8% of the total assessable frontage, has been received with respect to a Local Improvement Project for the installation of lane lighting on all lanes in the block bounded by Oakview and Dunrobin Avenues, Woodvale Street and Kildonan Drive.

On August 18, 1998, the East Kildonan - Transcona Community recommended that this Local Improvement Project be proceeded with.

The Standing Policy Committee on Public Works therefore recommends:

I. That the Local Improvement Project for lane lighting on all lanes in the block bounded by Oakview and Dunrobin Avenues, Woodvale Street and Kildonan Drive be approved.

II. That, in accordance with the policy for funding 1998 local improvements adopted by Council on July 22, 1998, as outlined in Clause 1 of the Report of the Standing Committee on Fiscal Issues dated July 13, 1998, construction be deferred until 1999, and funding for this project in the amount of $1,200.00 be identified in the 1999 Capital Budget.

III. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Local Improvement By-law in accordance with the foregoing and submit same directly to Council for approval.

IV. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Adopted by consent.

Report of the Standing Policy Committee on Public Works dated September 15, 1998

Local Improvement Project - 16'x 6" Concrete Lane Pavement on the lane in the block bounded by La Verendrye and Notre Dame Streets, St. Jean Baptiste and Langevin Streets File SL(1998) (Vol. 1)

1082 7. The Standing Policy Committee on Public Works has been advised that a "Petition For", representing 64.38% of the total assessable frontage, has been received with respect to a Local Improvement for the construction of a 16' x 6" concrete lane pavement on the lane in the block bounded by La Verendrye and Notre Dame Streets, St. Jean Baptiste and Langevin Streets.

On August 25, 1998, the Riel Community Committee recommended that this Local Improvement Project be proceeded with.

The Standing Policy Committee on Public Works therefore recommends:

I. That the Local Improvement Project for the construction of a 16' x 6" concrete lane pavement on the lane in the block bounded by La Verendrye and Notre Dame Streets, St. Jean Baptiste and Langevin Streets be approved.

II. That, in accordance with the policy for funding 1998 local improvements adopted by Council on July 22, 1998, as outlined in Clause 1 of the Report of the Standing Committee on Fiscal Issues dated July 13, 1998, construction be deferred until 1999, and funding for this project in the amount of $98,000.00 be identified in the 1999 Capital Budget.

III. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Local Improvement By-law in accordance with the foregoing and submit same directly to Council for approval.

IV. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Adopted by consent.

Access to the Proposed Commercial Development located at the Northeast corner of Waverley Street and Hurst Way File SC-1(31) (Vol. 1)

1083 - 8. The Standing Policy Committee on Public Works has been advised that an application for the construction of one 8.0 metre private approach on the east side of Waverley Street approximately 35.0 metres north of Hurst Way, has been received from Pre-Con Builders, to provide access to the proposed commercial development located at the northeast corner of Waverley Street and Hurst Way.

This application is non-conforming under The City of Winnipeg Private Approaches By-Law No. 6546/95 Section 3, Subsection (5) namely:

> "(5) No approach shall be constructed, erected or installed in any of the streets or portion of streets set forth in Schedule 3 hereto, except where there is no other means of access; and in such instances that approval of any application will be on a temporary basis effective only until other streets, lanes or service roads are provided, from which access may be provided."

This section of Waverley Street is contained within Schedule 3.

This section of Waverley Street contains a divided roadway, and carries approximately 16,300 northbound vehicles and 10,600 southbound vehicles in a typical twelve hour weekday period between 07:00 and 19:00. The speed limit on Waverley Street transitions from 70km/h to 50km/h.

Report of the Standing Policy Committee on Public Works dated September 15, 1998

The site is currently vacant, and there are no existing private approaches to this land.

The applicant is proposing to construct a gas bar facility on the southern portion of the property, and a storage compound for motor homes in the northern portion of the property, however, no site plan for the proposed development has been provided by the applicant. Proposed access to this proposed development is to be from Waverley Street and Hurst Way.

The applicant is proposing to construct a private approach on the east side of Waverley Street, approximately 8.0 metres in width, and another private approach on the north side of Hurst Way, approximately 7.6 metres in width to serve this property. The applicant desires to make it more convenient for motorists on Waverley Street to enter the proposed site by applying for a non-conforming private approach on the east side of Waverley Street, approximately 35.0 metres north of Hurst Way.

The Public Works Department recommended that this non-conforming private approach on the east side of Waverley Street not be approved for the following reasons:

- This section of Waverley Street is contained within Schedule 3 of the Private Approaches By-Law for reasons of traffic operations, capacity and safety. Vehicle collisions and capacity of a street are directly related to the number of approaches to private property from a street; as the number of approaches increase the number of potential vehicle conflicts also increase, thereby reducing the capacity of the street and increasing the potential for vehicle collisions. Major arterial streets such as Waverley Street are intended for the transportation of large volumes of through traffic at relatively high speeds; private approaches diminish the capacity of and level of motorist safety on those streets.

- The City of Winnipeg Private Approaches By-Law clearly states that no approaches on this section of Waverley Street may be constructed unless there is no other means of access, and in such cases where access is permitted, it would only be on a temporary basis, until other access is provided. In this case, the proposed development can be safely and conveniently accommodated with all access from Hurst Way.

- The Public Works Department has restricted access to other developers with property on Waverley Street for the same reasons. If access for this development is approved, a precedent will be set for other properties on Waverley Street.

- Long-term future plans provide for the grade separation of Waverley Street at the CNR right-of-way, which is located to the north of the subject property. The proposed private approach on the east side of Waverley Street to this proposed development would not be compatible with the future grade separation.

For the aforementioned reasons, the Public Works Department strongly recommended against permitting any access to the proposed development from Waverley Street, and recommended that all access to the proposed development be from Hurst Way.

There is no financial impact or cost to the City if this non-conforming private approach is approved.

The Standing Policy Committee on Public Works recommends:

I. That the application for construction of a non-conforming private approach on the east side of Waverley Street, north of Hurst Way, as approved by the Director of Public Works, be approved.

II. That the applicant be required to pay all costs for the approved approach and associated work, including a deceleration lane, transition and acceleration lane.

III. That the City Solicitor be instructed to prepare for submission to Council, an amendment to Schedule 3 of the Private Approaches By-law No. 6546/95.

IV. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Adopted by consent.

Report of the Standing Policy Committee on Public Works dated September 15, 1998

Access to the Proposed Commercial Development located at the Northwest Corner of Kenaston Boulevard and McGillivray Boulevard
File SC-1(31) (Vol. 1)

1084 - 9. The Standing Policy Committee on Public Works has been advised that an application for the construction of private approaches on the west side of Kenaston Boulevard, north of McGillivray Boulevard, has been received from Pre-Con Builders, to provide access to the proposed commercial development located at the northwest corner of Kenaston Boulevard and McGillivray Boulevard.

This application is non-conforming under The City of Winnipeg Private Approaches By-Law No. 6546/95 Section 3, Subsection (2), namely:

> "(2) No approach shall be constructed, erected or installed in any street or section of street set forth in Schedule 1 hereto, provided that on those streets or sections of street which have service roads adjacent to the main roadways, this Schedule shall apply only to the main roadways and not to the service roads.

This section of Kenaston Boulevard is contained within Schedule 1.

This section of Kenaston Boulevard contains a 7.8 metre wide southbound roadway and a 7.9 metre wide northbound roadway, separated by an 11.4 metre wide median, and carries approximately 9,800 northbound vehicles and 6,700 southbound vehicles in a typical twelve hour weekday period between 07:00 and 19:00. The speed limit on Kenaston Boulevard is 80km/h.

The site is currently vacant, and there are no existing private approaches to this land.

The applicant is proposing to construct a 38,000 square foot commercial building, an 11,000 square foot commercial building, and a 3,500 square foot car wash and convenience store on the site. Proposed access to this development will be from Kenaston Boulevard and McGillivray Boulevard. The applicant desires to make it more convenient for motorists on Kenaston Boulevard to enter and exit the proposed site by applying for either two (2) non-conforming angular private approaches on the west side of Kenaston Boulevard, approximately 296.9 metres and 107.0 metres north of McGillivray Boulevard, or a non-conforming channelized private approach, approximately 10.0 metres in width and approximately 187.1 metres north of McGillivray Boulevard.

The Public Works Department recommended that no access on the west side of Kenaston Boulevard be approved for the following reasons:

- This section of Kenaston Boulevard is contained within Schedule 1 of the Private Approaches By-Law for reasons of traffic operations, capacity and safety. Vehicle collisions and capacity of a street are directly related to the number of approaches to private property from a street; as the number of approaches increase the number of potential vehicle conflicts also increase, thereby reducing the capacity of the street and increasing the potential for vehicle collisions. Major arterial streets such as Kenaston Boulevard are intended for the transportation of large volumes of through traffic at relatively high speeds; private approaches diminish the capacity of and level of motorist safety on those streets.

- The proposed 8.0 metre wide angular "exit only" private approach poses a traffic safety concern for exiting motorists who wish to turn left onto McGillivray Boulevard. The proposed location of the exit is too close to the left turn storage lane at McGillivray Boulevard, and considering that the speed limit of this section of Kenaston Boulevard is 80km/h, motorists are cutting across two lanes of through, high speed traffic before entering the left turn storage lane at McGillivray Boulevard.

- The proposed development can be safely and conveniently accommodated with all access from McGillivray Boulevard.

- The Public Works Department has restricted access to other developers with property on Kenaston Boulevard for the same reasons. If access for this development is approved, a precedent will be set.

Report of the Standing Policy Committee on Public Works dated September 15, 1998

For the aforementioned reasons, the Public Works Department strongly recommended against permitting any access to the proposed development from Kenaston Boulevard, and recommended that all access to the proposed development be from McGillivray Boulevard.

However, the Department recommended that if the decision is to approve access from Kenaston Boulevard, that a channelized approach as shown on Drawing No. A-9150-3 be approved.

There is no financial impact or immediate cost to the City if this non-conforming private approach is approved.

The Standing Policy Committee on Public Works recommends:

I. That the construction of one "entrance only" channelized approach on the west side of Kenaston Boulevard, north of McGillivray Boulevard, be approved as shown on Drawing No. A-9150-3.

II. That the applicant be required to pay all costs for the approved approach and associated work, including a deceleration lane, transition and acceleration lane.

III. That the City Solicitor be instructed to prepare for submission to Council, an amendment to Schedule 1 of the Private Approaches By-law No. 6546/95.

IV. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Adopted by consent.

(See Minute No. 1074 for opposition recorded by Councillor Thomas)

Access to the Proposed Commercial Development located at the Southeast Corner of Kenaston Boulevard and Rothwell Road File SC-1(31) (Vol. 1)

1085 - 10. The Standing Policy Committee on Public Works has been advised that an application for the construction of one 8.5 metre angular "entrance only" private approach and one 12.6 metre angular "entrance only" private approach, both on the east side of Kenaston Boulevard approximately 60.0 metres and 386.8 metres south of Rothwell Road, has been received from Shindico Realty Inc., to provide access to the proposed commercial development located at the southeast corner of Kenaston Boulevard and Rothwell Road.

This application is non-conforming under The City of Winnipeg Private Approaches By-Law No. 6546/95 Section 3, Subsection (2), and Section 8, Subsection (a) namely:

> "(2) No approach shall be constructed, erected or installed in any street or section of street set forth in Schedule 1 hereto, provided that on those streets or sections of street which have service roads adjacent to the main roadways, this Schedule shall apply only to the main roadways and not to the service roads.

The southern most proposed private approach is within Schedule 1.

> a) Provided such approach or private walk fully complies with the provisions of Subsections (4) and (5) of Section 3 and with Section 7 hereto, then, upon the receipt of a written application therefore, the Commissioner shall approve of the construction, installation of same, unless the Commissioner is of the opinion that approval of such approach or private walk would be detrimental to the public interest."

Report of the Standing Policy Committee on Public Works dated September 15, 1998

This section of Kenaston Boulevard contains a 7.8 metre wide southbound roadway and a 7.8 metre wide northbound roadway, separated by an 11.0 metre wide median, within a 60.7 metre right-of-way, and carries approximately 9,800 northbound vehicles and 6,700 southbound vehicles in a typical twelve hour weekday period between 07:00 and 19:00. The speed limit on Kenaston Boulevard is 80km/h.

The site is currently vacant, and there are no existing private approaches to this land.

The applicant is proposing to construct a 200,000 square foot warehouse building that will be occupied by Canada Messenger, and a 2,250 square foot Robin's Donuts, with access to this proposed development from Kenaston Boulevard and Rothwell Road. The Canada Messenger building will contain approximately 30 overhead doors, with goods being transferred between rail and truck.

The applicant is proposing to construct four private approaches, each approximately 10.0 metres in width on the south side of Rothwell Road, approximately 48.5 metres, 85.1 metres, 166.2 metres, and 263.6 metres east of Kenaston Boulevard. The northerly non-conforming angular "entrance only" private approach on the east side of Kenaston Boulevard and the westerly private approach on the south side of Rothwell Road will serve the proposed Robin's Donuts, and the remaining approaches will serve the proposed Canada Messenger building.

The applicant desires to make it more convenient for motorists on Kenaston Boulevard to enter the proposed site by applying for two-non-conforming private approaches on the east side of Kenaston Boulevard, approximately 386.8 metres and 60.0 metres south of Rothwell Road.

The Public Works Department recommended that these two non-conforming angular "entrance only" private approaches not be approved for the following reasons:

- The most southerly of these two private approaches is within Schedule 1 of the Private Approaches By-Law for reasons of traffic operations, capacity and traffic safety. Vehicle collisions and capacity of a street are directly related to the number of private approaches to private property from a street; as the number of approaches increase the number of potential vehicle conflicts also increase, thereby reducing the capacity of the street and increasing the potential for vehicle collisions. Major arterial streets such as Kenaston Boulevard are intended for the transportation of large volumes of through traffic at relatively high speeds; private approaches diminish the capacity of and level of motorist safety on those streets.

- The proposed development can be safely and conveniently accommodated with all access from Rothwell Road.

- The Public Works Department has restricted access to other developers with property on Kenaston Boulevard for the same reasons. If access for this development is approved, a precedent will be set.

- The site plan that was submitted indicated that vehicles entering the drive-through for the donut shop would have to pick-up their food items from the passenger side of the vehicle. The northern most proposed angular "entrance only" approach lines up with this scenario. The location of the proposed approach actually makes on-site maneuverability more difficult than if vehicles entered the site through the private approach on the south side of Rothwell Road, utilized the drive-through, and exited the site through the same drive-through on Rothwell Road.

For the aforementioned reasons, the Public Works Department strongly recommended against permitting any access to the proposed development from Kenaston Boulevard, and recommended that all access to the proposed development be from Rothwell Road.

However, the Department recommended that if the decision is to approve the non-conforming angular "entrance only" private approaches on the east side of Kenaston Boulevard, that it be subject to the construction of an 80.0 metre deceleration lane with transitions for each private approach, as shown on Drawing A-9153-1.

There is no immediate financial impact or cost to the City if these non-conforming private approaches are approved.

The Standing Policy Committee on Public Works recommends:

I. That the construction of two non-conforming angular "entrance only" private approaches on the east side of Kenaston Boulevard, south of Rothwell Road, be approved as shown on Drawing No. A-9153-1.

Report of the Standing Policy Committee on Public Works dated September 15, 1998

II. That the applicant be required to pay all costs for the approved approaches and associated work, including deceleration lanes and transitions.

III. That the City Solicitor be instructed to prepare for submission to Council, an amendment to Schedule 1 of the Private Approaches By-law No. 6546/95.

IV. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Adopted by consent.

REPORT "A" OF THE

STANDING POLICY COMMITTEE ON PUBLIC WORKS

DATED SEPTEMBER 15, 1998

On motion of Councillor Timm-Rudolph, Report "A" of the Standing Policy Committee on Public Works, dated September 15, 1998, was considered.

Award of Contracts for Residential Solid Waste Collection Services East and West of the Red River - Tender Nos. P.D. 98-124 and 125
File GL-9 (Vol. 11) [c/r WT-1 (Vol. 18)]

1086 - 1. The Standing Policy Committee on Public Works has been advised that in March of 1997, Executive Policy Committee outlined several restructuring initiatives in the "Reshaping Our Civic Government" document. Two initiatives in the solid waste area were to study the privatization of the Brady Road Landfill, and to pursue the full contracting out of all solid waste functions by the year 2000.

In November, 1997, Council adopted a policy to revisit the privatization of waste collection and review the business case for various ways in which landfill and collection systems can be owned and operated.

The Alternative Service Delivery (ASD) Study was commissioned in March, 1998, to review options and to provide recommendations for landfill and collection service delivery. In accordance with the CUPE Collective Agreement, the Study incorporated the Business Plan Framework for Alternative Service Delivery developed by the Joint Committee of Council Members and CUPE Representatives.

The ASD Study was completed on July 1, 1998, and the Department's recommendations will be submitted in a report under separate cover.

The timing of the ASD Study took into account the added urgency to study alternatives by mid-1998 to determine how to issue the upcoming residential collection contracts, which expire on January 31, 1999.

The Consultant's recommendations have been incorporated into the tenders, and consist of:

- Two (2) large contract areas (versus eight (8) areas in previous contracts). Contract areas are now the northern half of the City, with the Red River dividing it into the east and west areas.

  Having two large contract areas will permit the City to introduce improvements to the day-cycle system, better co-ordinate snow clearing with refuse collection, and improve the efficiency of the recycling collection contract.

- Areas collected by City forces and contract forces also have changed. City forces will now collect the southern half of the City, which will consolidate and locate City forces in the most cost-effective area (i.e. closest to the landfill), to reduce haul distances and to achieve efficiencies through the relocation to one location at the Waverley Yard. The northern half of the City will now be collected by private contractors, except for existing autobin collection, which will continue through City forces.

- Contracts are for five (5) and six (6) year terms versus three (3) years. The larger areas, combined with longer contract terms, will enable bidders to finance their equipment purchases. In addition, the terms are staggered to maintain future flexibility for awards, collection areas, and mechanisms for collection, i.e. automation phase-in.

  The ratios of private versus City collection services will essentially remain the same.

Historically, the tenders have been issued in June/July. However, this year, tenders were issued later to incorporate the Consultant's recommended enhancements from the ASD Study to maximize cost savings to the City. Tenders are issued several months prior to contract commencement to allow for maximum equipment acquisition time, as it requires specialty equipment.

Report "A" of the Standing Policy Committee on Public Works dated September 15, 1998

Two tenders were prepared and advertised on August 10, 1998, namely, Tender No. P.D. 98-124, which represents the east area, closed on September 3, 1998; and Tender No. P.D. 98-125, representing the west area, closed on September 4, 1998. The bids received are shown in the Tender Tabulations identified as Appendix "A".

These Contracts will be awarded for a six (6) year period for P.D. 98-124 and for a five (5) year period for P.D. 98-125. Clause BI:23 - "Award of Contract" states that a contract award for a multi-year period is subject to approval of funds by City Council, and that, in the event funding is not approved for a particular year, no work will be performed under this Contract and the City will have no obligation to pay the Contractor for that year.

Engineering staff of the Water and Waste Department are satisfied that the low tenderer in each case has the necessary resources to perform all of the work in accordance with the requirements of the specifications. The Contractor has satisfactorily carried out previous works of a similar nature.

The tenders submitted by Canadian Waste Services Inc. and Browning Ferris Industries Ltd. for P.D. 98-124 and P.D. 98-125 meet all requirements of the specifications and were accompanied by a Bid Bond and an Agreement to Bond which have been certified by Legal Services.

There were two responsive bidders to each tender. In addition, Serpreco Systems Ltd. submitted a bid to each tender, but these bids were determined to be non-responsive by the Manager of Materials Management, based on advice from Legal Services, due to insufficient performance security submissions.

Sufficient funds are normally included in the Current Budget each year for the duration of the Contracts, Account No. 01-552404-610301. The Contracts are for five (5) and six (6) year terms, with price adjustments to be made on an annual basis in accordance with the contract specifications.

The value of residential collection contracts as bid by Canadian Waste Services Inc. total $2,823,494.72 per year compared to total projected contractor costs for 1998 residential collection of $2,715,000.00 or a similar service volume. The new bid prices represent an annual cost increase of 4.1% over this projection, which may be attributable to normal inflation factors and to the revised collection areas which in general are much further from the landfill than the former contract areas. Offsetting this to some degree will be savings in City forces servicing costs with the revised collection area to be concentrated in the south area close to the landfill.

Inasmuch as Council and Standing Committee meetings are prorogued from October 1 through 31, 1998, the timing of the award of contract is crucial, to allow the successful bidder(s) sufficient time for equipment purchases, obtaining manpower, and preparing routing systems. This offer is open for acceptance until November 18, 1998.

A financial impact statement for this project has been prepared in accordance with the recommendation contained in a report dated November 18, 1997, submitted to and as concurred in by the Standing Committee on Fiscal Issues on November 24, 1997.

The Water and Waste Department therefore recommends:

I. That a contract for Residential Solid Waste Collection Services East of the Red River, Tender No. P.D. 98-124, be awarded for the period February 1, 1999 to January 31, 2005, in the conditional amount of $1,162,912.00 per year to Canadian Waste Services Inc., the lowest bidder meeting the specifications.

II. That a contract for Residential Solid Waste Collection Services West of the Red River, Tender No. P.D. 98-125, be awarded for the period February 1, 1999 to January 31, 2004, in the conditional amount of $1,660,582.72 per year to Canadian Waste Services Inc., the lowest bidder meeting the specifications.

III. That the Proper Officers of the City do all things necessary to implement the intent of the foregoing, including the execution of any documents related thereto.

The Standing Policy Committee on Public Works submits same to Executive Policy Committee and Council without recommendation.

Report "A" of the Standing Policy Committee on Public Works dated September 15, 1998

The Executive Policy Committee concurs in the recommendations of the Water and Waste Department as follows:

I. That a contract for Residential Solid Waste Collection Services East of the Red River, Tender No. P.D. 98-124, be awarded for the period February 1, 1999 to January 31, 2005, in the conditional amount of $1,162,912.00 per year to Canadian Waste Services Inc., the lowest bidder meeting the specifications.

II. That a contract for Residential Solid Waste Collection Services West of the Red River, Tender No. P.D. 98-125, be awarded for the period February 1, 1999 to January 31, 2004, in the conditional amount of $1,660,582.72 per year to Canadian Waste Services Inc., the lowest bidder meeting the specifications.

III. That the Proper Officers of the City do all things necessary to implement the intent of the foregoing, including the execution of any documents related thereto.

Moved by Councillor Timm-Rudolph,
That the recommendation of the Executive Policy Committee be adopted.

Council recessed at 11:59 a.m., and reconvened at 1:34 p.m., same members present.

Councillor Lubosch and Her Worship Mayor Thompson entered the meeting after Council had reconvened.

Moved by Councillor Murray,
Seconded by Councillor Vandal,

BE IT RESOLVED that the clause be referred to the Executive Policy Committee and that the Legal Services Division be directed to prepare a list of legal options to address concerns raised by members of Council.

NOTE: The offer of tender is open for acceptance until November 18, 1998.

The Speaker advised that Council would recess to reconvene at the call of the Chair to allow members to participate in a Special In Camera Meeting of the Executive Policy Committee to discuss matters pertaining to the clause being considered.

Council recessed at 1:39 p.m., and reconvened at 3:09 p.m., same members present.

Councillor Golden entered the meeting after Council had reconvened.

With the concurrence of the seconder, and with the permission of Council, Councillor Murray withdrew his motion.

The Speaker advised that Council would table this matter until later in the meeting.

(See Minute No. 1119 for disposition of Clause 1)

Council here proceeded to consider the order of business - “Report of the Standing Policy Committee on Public Works, dated September 21, 1998".

REPORT OF THE

STANDING POLICY COMMITTEE ON PUBLIC WORKS

DATED SEPTEMBER 21, 1998

On motion of Councillor Timm-Rudolph, the Report of the Standing Policy Committee on Public Works, dated September 21, 1998, was considered.

Moved by Councillor Timm-Rudolph,
That the Consent Agenda, Clause 1, be adopted.

1087 - Councillor Thomas asked to be recorded as having voted against Clause 1, in accordance with Rule 50.7 of the Procedure By-law.

The motion to adopt the Consent Agenda, Clause 1, was put and declared carried.

Award of Building Cleaning Services for 33 Warnock Street, 850 Empress Street, 1520 Corydon Avenue, 20 Westgate, 955 Cottonwood Road and 2000 Portage Avenue
File GL-9 (Vol. 11) [c/r FB-1 (Vol. 6)}

1088 - 1. The Standing Policy Committee on Public Works has been advised that the tender call for Building Cleaning Services at the above referenced locations was initiated by the Public Works Department Building Services Division in July of 1998. Out of 18 building cleaning companies requesting specifications, six (6) building cleaning companies returned bids.

Two (2) of the bid submissions were non responsive, and were returned. Therefore only four (4) companies met all the specifications.

In response to the tender call, the following firms submitted bids for a one (1) year period:

TOTAL BID PRICE						
FIRMS						
Class Clean Janitorial Service	No Bid	No Bid	$5,040.00	No Bid	No Bid	No Bid
MacDonald Building Maintenance	No Bid	No Bid	No Bid	No Bid	$3,172.80	No Bid
T.P.O. Janitorial Service Ltd.	$6,072.00	$16,320.00	$9,840.00	$7,446.00	No Bid	No Bid
A Leader Building Cleaning	$6,840.00	$ 3,224.00	$5,210.40	$6,579.12	No Bid	$17,760.00

However, in accordance with Clause SC:7, the initial term of this contract (1) one year, will be as stipulated in Clause SC:8 which states:

SC:8: Commencement of Work

Due to differing expiry dates of current contracts for each location, the work shall commence and end at the various locations as follows:

A)	*33 WARNOCK ST.*	*OCTOBER 1, 1998 TO DECEMBER 31, 1998*
B)	*850 EMPRESS ST.*	*OCTOBER 1, 1998 TO DECEMBER 31, 1998*
C)	*1520 CORYDON AVE.*	*OCTOBER 1, 1998 TO DECEMBER 31, 1998*
D)	*20 WESTGATE*	*OCTOBER 1, 1998 TO DECEMBER 31, 1998*
E)	*955 COTTONWOOD RD.*	*JANUARY 1, 1999 TO DECEMBER 31, 1999*
F)	*2000 PORTAGE AVE.*	*OCTOBER 1, 1998 TO DECEMBER 31, 1998*

Report of the Standing Policy Committee on Public Works dated September 15, 1998

T.P.O. Janitorial Services Ltd. met all of the requirements with respect to location "A" and has the necessary resources to perform the work.

A Leader Building Cleaning Services of Canada Ltd. met all of the requirements with respect to locations "B", "D", "F" and has the necessary resources to perform the work.

During the evaluation process, the following was noted on the remarks column of the Comparison of Tenders form submitted by Materials Management:

Note I: Class Clean Janitorial Service did not acknowledge addendum.
Note II: Class Clean Janitorial Service did not have name on Bank Draft.

Note I - The fact that Class Clean Janitorial Service neglected to acknowledge the addendum is not a material informality because the addendum was not applicable to the site which Class Clean Janitorial Service bid on.

Note II - Materials Management Division attached a note to the Bank Draft #31306680-054 alerting the Legal Services Department re ownership of the Draft.

Notwithstanding the above, Class Clean Janitorial Service met all of the requirements with respect to location "C", and has the necessary resources to perform the work. MacDonald Building Maintenance of Canada met all of the requirements with respect to location "E", and has the necessary resources to perform the work.

The Director of Materials Management has advised that one (1) of the tender submissions was accompanied by a Bank draft number 31306680-054 in the amount of $1,260.00, two (2) of the tender submissions were accompanied by Certified Cheques in the amounts of $793.20 and $9,903.60. One (1) tender submission was accompanied by a Bid Bond and Agreement to Bond. All tender deposits have been certified by Legal Services and were delivered to Treasury on August 13, 1998.

Sufficient funds for these contracts are identified in the Current Estimates, with account numbers as follows:

A)	33 Warnock Street	$1,518.00	53-552103-190402110004
B)	850 Empress Street	$ 806.22	53-552103-190405121204
C)	1520 Corydon Avenue	$1,260.00	53-552103-190406622204
D)	20 Westgate	$1,644.93	53-552103-190406122004
E)	955 Cottonwood Road	$3,172.80	53-552103-190406522204
F)	2000 Portage Avenue	$4,440.00	53-552103-190402200204

This contract will allow up to four (4), one (1) year extensions, with price adjustments as per specifications.

Bids are open for acceptance until October 12, 1998.

The Financial Impact is outlined on Appendix "A".

The approval of Council is required for this contract in view of the fact that funds are being committed from future budgets and the delegation of authority is being amended to allow the Director to award any extensions of the contract.

The Standing Policy Committee on Public Works recommends:

I. That the tender submitted by T.P.O. Janitorial Services Ltd. for the following location be accepted:

"A" 33 Warnock St. for a three (3) month period, beginning October 1, 1998 to December 31, 1998. Monthly cost of $506.00. Price per term $1,518.00 (3 months).

II. That the tender submitted by A Leader Building Cleaning Services of Canada Ltd. for the following locations be accepted:

"B" 850 Empress St. for a three (3) month period beginning October 1, 1998 to December 31, 1998. Monthly cost $268.74. Price per term $806.22 (3 months).

Report of the Standing Policy Committee on Public Works dated September 15, 1998

"D" 20 Westgate for a three (3) month period beginning October 1, 1998 to December 31, 1998. Monthly cost $548.31. Price per term $1,644.93 (3 months).

"F" 2000 Portage Avenue for a three (3) month period beginning October 1, 1998 to December 31, 1998. Monthly cost $1,480.00. Price per term $4,440.00 (3 months).

III. That the tender submitted by Class Clean Janitorial Service for the following location be accepted:

"C" 1520 Corydon Ave. for a three (3) month period beginning October 1, 1998 to December 31, 1998. Monthly cost $420.00 Price per term $1,260.00 (3 months).

IV. That the tender submitted by MacDonald Building Maintenance of Canada for the following location be accepted:

"E" 955 Cottonwood Rd. for a twelve (12) month period beginning January 1, 1999 to December 31, 1999. Monthly cost $264.40. Price per year $3,172.80.

V. That the Director of Public Works be authorized to award any extensions of the contract, provided for therein prior to the approval of budgeted funds for the year of the extension, if he considers it necessary or advisable. Yearly cost estimates for the additional four years being as follows:

1999	$43,206.10 (Item 4 "E" amount included)
2000	$43,310.67
2001	$43,414.63
2002	$43,522.15

Please Note: The labour portion of the above estimates does not reflect any future changes in Statutory Minimum Wage rates.

VI. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

Adopted by consent.

(See Minute No. 1087 for opposition recorded by Councillor Thomas)

STANDING POLICY COMMITTEE ON PUBLIC WORKS

CONSIDERATION OF BY-LAWS

1089 - On motion of Councillor Timm-Rudolph, the following by-laws were read a first, second and third time, the rule being suspended for the third reading of each by-law, and were passed and ordered to be signed and sealed, namely:

By-law No. 7294/98, a by-law of The City of Winnipeg to regulate the grading of property and to establish lot grade elevations. File SD-1 (Vol. 2)

By-law No. 7308/98, a by-law of The City of Winnipeg to prohibit the sounding of engine whistles at certain Canadian Pacific Railway crossings in The City of Winnipeg. File ER-1.2 (Vol. 14)

STANDING POLICY COMMITTEE ON PUBLIC WORKS

QUESTION PERIOD

1090 - Councillor Thomas noted two accidents that have occurred on the corner of Johnson Avenue and Brazier Street within the past week and questioned when barriers would be installed.

Councillor Timm-Rudolph took the matter under advisement.

Councillor Murray questioned why the matter of amalgamating areas and lengthening contract terms was not brought to the Standing Policy Committee on Public Works prior to considering the new contracts.

Councillor Timm-Rudolph noted that it was her understanding that the Director of Water and Waste had met with the Chief Administrative Officer on the matter and then proceeded through the CAO, to have some discussions with members of the Standing Committee on Fiscal Issues. She noted that she had been invited to attend the Standing Committee on Fiscal Issues' meeting and that the alternative service delivery issue was under the jurisdiction of the Executive Policy Committee.

Councillor Murray noted that results of the solid waste alternative service delivery study had been reviewed at an informal meeting of the Standing Committee on Fiscal Issues and questioned who made the decision to not share the information with other Council Members, why the Chair had not shared this information with Members of the Standing Policy Committee on Public Works, and why, when the matter finally came to the Standing Policy Committee on Public Works, it was not on the regular agenda, but on the addendum.

Councillor Timm-Rudolph noted that tenders in the City of Winnipeg do not go through Council, but by process, are issued by the administration through the CAO's office. She further advised that the closing date of the tender resulted in the report appearing as an addendum item and noted that the Standing Policy Committee on Pubic Works had dealt with the item on September 15, not at the end of September.