TO: Bert Meunier, Chief Administrative Officer
FROM: Terry Willing, Acting Commissioner, Planning & Development Services
PREPARED BY: Robert Brooks, Construction Supervisor, Engineering
DATE OF MEETING: September 7, 2004
SUBJECT: AWARD OF TENDER – PDS-ENG 2004-5 INSTALLATION OF STEEL BEAM GUIDE RAIL AND THREE CABLE GUIDE

RECOMMENDATION TO COUNCIL:

THAT the tender of Peninsula Construction Inc. for PDS-ENG 2004-5 Installation of Steel Beam Guide Rail and Three Cable Guide, in the amount of $53,460.28, be accepted, it being the lowest tender received. This tender consists of:

1) The extension of three cable guide rail at Front Road at Bayridge Drive, Sydenham Road at Collins Creek, Battersea Road at Aragon Road.
2) The installation of new three cable guide rail at Sydenham Road at Latimer Road and Perth Road north of Cataraqui Region Conservation Authority park entrance.
3) The removal and replacement of steel beam guide rail at Sydenham Road and Loughborough Drive.

ORIGIN/PURPOSE:

To award the tender for Installation of Steel Beam Guide Rail and Three Cable Guide PDS-ENG 2004-5, Installation of Steel Beam Guide Rail and Three Cable Guide.

OPTIONS/DISCUSSION:

On Wednesday, August 11, 2004, only two bids for PDS-ENG 2004-5 were received as follows (prices exclude GST).

- Peninsula Construction Inc. $53,460.28
- Hughson Fencing & Guiderail $56,603.00
The bid received from Peninsula Construction Inc. is within the amount budgeted by the City for the completion of the project. Reference Program 92256.

EXISTING POLICY/BY-LAW:

The purchasing by-law allows for a tender to be awarded to the lowest bid by staff when three bids have been received. Only two bids were received in this case, so the by-law requires that Council approval be obtained before the work is awarded.

Council awards the tender to the lowest bidder unless there is sufficient reason to do otherwise.

LINK TO STRATEGIC PLAN:

N/A

FINANCIAL CONSIDERATIONS:

There are sufficient funds allocated to complete this project.

CONTACTS:

Speros Kanellos, Manager, Engineering Division, Planning & Development Services (384-1770 ext. 3133)
Robert Brooks, Construction Supervisor, Engineering Division, Planning & Development Services (384-1770 ext. 3139)

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:

Department of Operations, Roads, Damon Wells, Manager

NOTICE PROVISIONS:

N/A

APPENDICES:

N/A
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<th>Terry Willing, Acting Commissioner</th>
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REPORT TO COUNCIL

TO: Bert Meunier, Chief Administrative Officer
FROM: Terry Willing, Acting Commissioner
PREPARED BY: Robert Brooks, Construction Supervisor, Engineering
DATE OF MEETING: September 7, 2004
SUBJECT: AWARD OF TENDER – CONTRACT 2004-21W
ROAD RECONSTRUCTION ON TAYLOR KIDD BOULEVARD

RECOMMENDATION TO COUNCIL:

THAT the tender of Dibblee Construction Limited for Contract 2004-21W Road Reconstruction on Taylor Kidd Boulevard, in the amount of $228,000.00, be accepted, it being the lowest tender received. This contract consists of:

The widening of asphalt pavement on Taylor Kidd Boulevard at Liston Drive intersection including asphalt overlay on existing pavement and the installation of underground work for traffic signalization.

ORIGIN/PURPOSE:

To award the tender for Contract 2004-21W, Road Reconstruction on Taylor Kidd Boulevard.

OPTIONS/DISCUSSION:

On Wednesday, August 18, 2004, only two bids for Contract 2004-21 were received as follows (prices exclude GST).

Dibblee Construction Limited $228,000.00
Cruickshank Construction Limited $248,657.61

Therefore, Council’s approval of the lowest tender is required under the purchasing by-law. Dibblee Construction Limited is a reputable Contractor and has completed similar contracts for the City in the past. The bid received from Dibblee Construction Limited is within the amount budgeted by the City for the completion of the project. Reference Program 94155.
EXISTING POLICY/BY-LAW:

The purchasing by-law allows for a tender to be awarded to the lowest bid by staff when three bids have been received. Only two bids were received in this case, so the by-law requires that Council approval be obtained before the work is awarded.

Council awards the tender to the lowest bidder unless there is sufficient reason to do otherwise.

LINK TO STRATEGIC PLAN:

N/A

FINANCIAL CONSIDERATIONS:

There are sufficient funds allocated to complete this project.

CONTACTS:

Speros Kanellos, Manager, Engineering Division, Planning & Development Services (384-1770 ext. 3133)
Robert Brooks, Construction Supervisor, Engineering Division, Planning & Development Services (384-1770 ext. 3139)

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:

Department of Operations, Roads, Damon Wells, Manager
Technical Services, Utilities Kingston, Chris Phippen, Utilities Engineer

NOTICE PROVISIONS:

All road closures and traffic delays are advertised in the local paper prior to the closings and delays.

APPENDICES:

N/A
Terry Willing, Acting Commissioner
Planning and Development Services

Bert Meunier
Chief Administrative Officer
TO: Bert Meunier, Chief Administrative Officer
FROM: Mark Segsworth, Commissioner, Operations Services
PREPARED BY: John Rhodes, Supervisor, Solid Waste Disposal
John Giles, Manager, Solid Waste Division
DATE OF MEETING: 2004-09-07
SUBJECT: KARC Recycling Depot

RECOMMENDATION TO COUNCIL:
It is recommended that the Solid Waste Division replace the recycling depot at the Kingston Area Recycling Centre with a sheltered system at an estimated cost of $46,300 subject to zoning requirements using $40,000 approved under Capital Budget Project No. 91028 and funding the balance from the Solid Waste Reserve.

ORIGIN/PURPOSE:
Part of the waste services offered at the Kingston Area Recycling Centre (KARC) is the provision of a recycling depot. The depot is used by residents and small businesses delivering recycling that is not otherwise picked up by way of curbside service.

The current depot, made up of a collection of self-dumping hoppers, dates back to approximately 1995. The hoppers handle between 300 and 400 tonnes of recycling per year. Due to relatively small capacity hoppers they are dumped frequently, with the majority of the hoppers having to be dumped more than 10 times a day. The hoppers have greatly exceeded their life expectancy (estimated to be five years), are in very poor condition, and are undersized as compared to their usage.

The existing self-dumping hoppers do not have lids or some other means to reduce the potential for debris to blow from them during windy conditions. Significant litter results which can, and does, impact adjacent properties periodically.

Although it would be less expensive to simply replace the existing bins with a similar set of new ones, it would not address the litter problems that we are experiencing.

The Solid Waste Division has $40,000 approved under Capital Budget Program No. 91028 for the replacement of the existing recycling depot. It had been our intention to purchase a system that included a separate trailer that could be used to serve residential properties in the BIA and to potentially offer recycling at certain special events.
The Division has concluded that the need for a trailer depot has become very limited as residential units in the BIA have been served with curbside recycling, and the purchase of a trailer solely for special events is not recommended. In addition, a trailer depot would not deal effectively with capacity and litter issues. Thus the purpose of this report is to advise Council of what is now being proposed, and to seek approval.

OPTIONS/DISCUSSION:
The Division has concluded that a depot at KARC must have the following features:

- the movement and dumping of depot containers in the plant must use existing equipment, which is limited to a forklift
- a capacity that is at least double the current capacity. This would reduce the frequency of dumping and also reduce safety concerns, as it is necessary to cross traffic to access the depot many times during a single day
- bins must have lids or otherwise be protected from the elements to reduce litter
- locating the depot as close to the property line as possible to reduce the potential for vehicular interaction between those using the depot and vehicles entering / existing the weigh scales

There are no “off the shelf” systems available that have the above features and meet our needs. We have concluded that a system composed of the following elements will do so:

- a combination of larger self-dumping hoppers that increase the capacity of the depot by two fold
- a three-walled, roofed structure to contain blowing debris, reduce weather impacts, and eliminate the need for lids for containers
- paving of approximately 84 square meters (900 square feet) along the east fenceline. The site paving currently stops nine feet from the property along the east fenceline. This paving would allow for the depot, and its users, to be located as far as possible from traffic interactions, and maximize use of that portion of the site.

The above is dependent on our receiving approval of a zoning minor variance, and possibly the additional need for Site Plan approval. The industrial zone requirements for properties at the KARC location require structures to be a minimum 25 feet from the property line. We have spoken with our adjoining neighbour, KIMCO Steel Sales Ltd., as the depot would back onto their property. KIMCO has indicated they would not object to a minor variance as it is an effort to reduce any litter impact on their property. The adjacent KIMCO property is currently the subject of a separate Site Plan application, which includes landscaping requirements. (The development of the adjacent property places even greater emphasis on the need for a depot with the means to contain litter on site.)

Subject to approval, the depot would be proposed to be located 0.5 meters from the property line. We have spoken with the Building & Licensing Division concerning Building Code requirements and have been advised that due to the reduced setback from the property line, the rear wall would need to be constructed of cinder block on footings to be in compliance with the Fire Code. Engineering drawings would be necessary with a building permit application. As the KARC property has been the subject of Site Plan Control previously, it is anticipated that a Site Plan application may also be required.
The estimated costs for this project are:

- cinder block wall and footings - $16,000
- roofing and associated materials (constructed by staff) – $4,000
- paving - $3,000
- building permit fee - $300
- minor variance fee - $1,000
- engineering drawings - $1,000
- 15 self-dumping hoppers (11 @ 3 cubic yard & 4 @ 1 cubic yard) – $21,000 incl shipping
- estimated total cost - $46,300

As the estimated cost for this project exceeds the approved capital budget by $6,300 it is necessary to seek additional funding in order for the project to proceed. It is recommended that the shortfall for the sheltered depot be funded from the Solid Waste Reserve.

In 2004 a revenue of $400,000 was budgeted as an estimate of the grant expected from Stewardship Ontario through Waste Diversion Ontario under the Waste Diversion Act as the City of Kingston share under the Blue Box Program Plan, with a matching $400,000 being expensed as a contribution to the Solid Waste Reserve. An initial grant in the amount of $115,422 was received in June and deposited into the Solid Waste Reserve. No specific projects have been identified to be funded by these grants to date, however, it is recommended that these funds be used for waste diversion projects.

EXISTING POLICY/BY-LAW:
Purchasing By-law 2000-134.

LINK TO STRATEGIC PLAN:
The Environment.

FINANCIAL CONSIDERATIONS:
Capital budget approval totaling $40,000 has previously been approved for this project. The balance, estimated to be $6,300, is recommended to be funded from the Solid Waste Reserve.

CONTACTS:
John Giles, Manager, Solid Waste Division.................546-4291 ext. 2701
John Rhodes, Supervisor, Solid Waste Disposal.............546-4291 ext. 2702

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
Corporate Services – Gerard Hunt, Manager of Finance

NOTICE PROVISIONS:
Public Notice would be made in conjunction with a minor variance application.

APPENDICES:
There are no appendices to this report.
Mark Segsworth
Commissioner, Operations Department

Bert Munier
Chief Administrative Officer
RECOMMENDATION TO COUNCIL:

That the proposal received from TSI Consulting in response to Request for Proposals PDS-ENV 007 - 2004 for CCTV Inspection, in the amount of $60,911.20 be accepted.

ORIGIN/PURPOSE:

The purpose of this report is to advise Council that the City of Kingston’s Environment Division has received proposals to conduct closed circuit television (CCTV) inspection of storm sewers and we are requesting authorization to award the project to the firm that submitted the lowest cost proposal. Since only two qualified bids were received, authorization by Council is required to make the contract award.

OPTIONS/DISCUSSION:

The City of Kingston’s Environment and Engineering Divisions have undertaken CCTV Inspections of the Kingscourt and Dufferin Storm Sewer Systems in the past to identify and locate cross connections with the sanitary sewer system, evaluate the physical condition of the storm sewer system and identify any maintenance requirements. This year we continue that work on the three storm sewer systems that outlet to the Portsmouth Olympic Harbour (POH).

The Portsmouth Olympic Harbour Storm Sewer System is located in the City of Kingston, Central area, outlets to Lake Ontario, through the Portsmouth Olympic Harbour. Three separate systems outlet into the POH, and are designated as LO 05, LO 06 and LO 07.

Based upon past experience, a request for proposals (RFP) was issued for the required CCTV Inspection work to six qualified companies in Eastern Ontario. The work is highly specialized and therefore few companies provide the required services. Three proposals were received in response to the RFP. One proposal was disqualified for not providing the required elements of the RFP (i.e. proof of Workplace Safety Insurance Board coverage, non-compliance with cost quotation structure). The two qualified bids were as follows (prices excluded GST):
Proposals were reviewed and ranked by Engineering and Environment Division staff. The proposal submitted by TSI Consulting was deemed to be the best supplier for the services requested at the lowest price. TSI Consulting is a reputable contractor and has completed similar contracts for other municipalities in the past.

The project cost of $60,911.20 will be cost-shared by Engineering Division and Environment Division 2004 capital budgets for storm system improvements and stormwater quality respectively.

EXISTING POLICY/BY-LAW:

Council has delegated authority to staff to award contracts when three competitive bids are received and when the lowest cost bid is selected.

LINK TO STRATEGIC PLAN:

This project is required to partially implement the “Improve Stormwater Quality” objective of the FOCUS Kingston Environmental Priority area.

FINANCIAL CONSIDERATIONS:

The cost of the project will be $60,911.20 and will be allocated to Engineering and Environment Division budgets as follows:

Environment Division: CITYK 800000 002 6350000 94022  
Engineering Division: CITYK 760100 002 6320000 94036

CONTACTS:

James English, P.Ag., Pollution Prevention Specialist, Environment Division 384-1770 ext. 3138  
Paul MacLatchy, P. Eng., Manager, Environment Division, 384-1770, ext. 3134  
Mark Van Buren, P.Eng., Stormwater Engineer, Engineering Division, 384-1770, ext. 3218

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:

Engineering Division

NOTICE PROVISIONS:

Not applicable

APPENDICES:

None
Terry Willing
Acting Commissioner, Planning & Development Services

Bert Meunier
Chief Administrative Officer
REPORT TO COUNCIL

TO: Bert Meunier, Chief Administrative Officer
FROM: Terry Willing, Acting Commissioner, Planning and Development Services
PREPARED BY: Speros Kanellos, Manager, Engineering Division
                     John Sawarna, Project Engineer, Engineering Division
DATE OF MEETING: September 7, 2004
SUBJECT: Centennial Drive Extension From Taylor-Kidd To Bath Road & CN Rail and Little Cataraqui Creek Overpass Structures

RECOMMENDATION TO COUNCIL:

1. That Council approve the award for Contract 2004-16W in the amount of $669,106.07 to Cruickshank Construction Limited with the necessary funding reallocation in the amount of $33,103.00 from the 2002 approved capital budget envelope for growth related projects and additional funding in the amount of $33,103.00 from Development Charges Reserve fund.

2. That Council approve the award for Contract 2004-18W in the amount of $5,612,497.00 to Dufferin Construction Company with the necessary funding reallocation in the amount of $487,948.00 from the 2002 approved capital budget envelope for growth related projects and additional funding in the amount of $487,948.00 from Development Charges Reserve fund.

3. That Council give the Mayor and Clerk signing authority for the City of Kingston to enter into a contract satisfactory to City Legal Services with Cruickshank Construction Limited for the completion of Contract 2004-16W as tendered.

4. That Council give the Mayor and Clerk signing authority for the City of Kingston to enter into a Contract satisfactory to City Legal Services with Dufferin Construction Company for the completion of Contract 2004-18W as tendered.

ORIGIN/PURPOSE:

The purpose of this report is to seek Council approval to:

1. Award Contract 2004-16W in the amount of $669,106.07 to the lowest bidder of three, Cruickshank Construction Limited. This contract is for the signalization of the Taylor-Kidd Boulevard/Centennial Drive intersection and to construct the first section of the Centennial Drive extension from Taylor-Kidd southerly for approximately 400 meter to proposed Wheathill Street.
2. Award **Contract 2004-18W** in the amount of $5,612,497 to the lowest bidder of three, Dufferin Construction Company. This contract is for the construction of two bridge structures: the CN Rail Overpass and the Little Cataraqui Creek Overpass. These structures are part of the Centennial Drive extension from Taylor-Kidd Boulevard to Wheathill Street.

3. Request Council to approve additional funds to cover construction, contract administration and construction inspection and contingency costs.

**OPTIONS/DISCUSSION:**

1. **Contract 2004-16W** covers the signalization of Taylor-Kidd/Centennial Drive intersection and intersection grade modifications required for the extension of Centennial Drive southward. The contract also covers the construction of Centennial Drive southward for 400 meters to future Wheathill Street. This section of Centennial Drive will consist of a four lane roadway, complete with storm sewers, sidewalk on one side, bike lanes, street lights, curbing, median, water main and hydro, Bell, Cablevision utility ducts. Some of the construction is for the benefit of Waterloo Village Phase 4 and costs will be recovered from the Developer.

   Three bids were received with Cruickshank Construction being the lowest bidder at $669,103.07. Current capital budget account funds exist in the amount of $525,000. The shortfall in available funds is directly attributed to additional intersection improvements needed to accommodate a signalized intersection as directed by Council.

   The following is a summary of costs to complete **Contract 2004-16W** and associated works:

   Cruickshank Construction (the value of this contract award) $ 669,106
   Contract Admin, supervision of construction inspection and contingencies $+ 73,600
   Sub Total $ 742,706
   Less recoverables from Developer (including contract admin construction inspection and contingencies) $- 151,500
   Sub Total $ 591,206
   Less Funds Remaining in Account $- 525,000
   **Additional Funds to complete the work** $ 66,206

   The original budget for the estimated value of this work was funded 50% by Municipal Capital Reserve fund and 50% from the Development Charges Reserve fund. At this time, the municipal share can be accommodated from a reallocation of the approved but unspent 2002 capital budget envelope identified for the improvement of Bayridge Drive from Cedarwood Drive to Cataraqui Woods Drive. This project has been deferred until the infrastructure requirements of the Cataraqui West Neighbourhood are determined and can then be included prior to the road improvements being implemented. The money will then be budgeted some time in 2005 to 2008. As a result this report requires the approval of Council for $33,103 from Development Charges Reserve fund.

2. **Contract 2004-18W** covers the construction of the CN Rail and the Little Cataraqui Creek Overpass bridge structures. The suspension of water main from the structures was included on behalf of Utilities Kingston. To significantly reduce future costs and interference with CN Rail traffic, it is crucial to include the water main installation in this contract.
Utilities Kingston will carry the water main costs in their 2005 budget.

Three bids were received with Dufferin Construction being the lowest bidder at $5,612,497. Current Capital funds exist in the amount of $4,750,000. The shortfall in available funds is directly attributed to (1) increased construction steel costs (30% increase over previous 12-month period), (2) additional foundation piles and concrete pile caps to allow the widening of bridge structures to ultimately accommodate a four-lane roadway, (3) increased dewatering costs, (4) increased CN Rail track protection costs.

The following is a summary of costs to complete Contract 2004-18W and associated works:

- Dufferin Construction (the value of this contract award) $5,612,497
- Contract Admin, supervision of construction inspection and contingencies + 617,400
- Sub Total $6,229,897
- Less recoverables from Utilities – Water (including contract admin, construction inspection and contingencies) - 504,000
- Sub Total $5,725,897
- Less Funds Remaining in Account - 4,750,000
- Additional Funds to complete the work $975,897

The original budget for the estimated value of this work was funded 50% by Municipal Capital Reserve fund and 50% from the Development Charges Reserve fund. At this time, the municipal share can be accommodated until the infrastructure requirements of the Cataraqui West Neighbourhood are determined and can then be included prior to the road improvements being implemented. The money will be budgeted some time in 2005 to 2008. As a result this report requires the approval of Council for $487,948 from Development Charges Reserve fund.

EXISTING POLICY/BY-LAW:

The purchasing by-law allows for a tender to be awarded to the lowest bid by staff when three bids have been received. Council awards the tender to the lowest bidder unless there is sufficient reason to do otherwise.

LINK TO STRATEGIC PLAN:

Priority 4 - Infrastructure.

A municipality must be built on a solid well maintained foundation. This foundation or “hard infrastructure” is the community owned roads, bridges, sidewalks, electricity, gas, water, sewers, broadband community networking, storm sewers, street lights and traffic lights. Regular maintenance and upgrading or replacing the infrastructure is necessary to optimize the life of the municipal infrastructure.
FINANCIAL CONSIDERATIONS:

Contracts 2004-16W and 2004-18W are both growth related projects where 50% of the costs are paid by Development Charges. Additional funds required to complete the contracts is approximately $1,042,000 of which 50% is available from a reallocation of the approved 2002 capital budget envelope and additional fund from Development Charges Reserve funds (DC) in the amount of $521,054.

These projects were originally funding from the development charge reserve funds on a proportionate basis (50%), in accordance with by-law 99-328 and supported by the development charges background study of 1999. Council has a capital budget estimate in 2004 for these projects, however, the actual tender results require additional funds to complete the work, which is requested at this time. Since the municipality is in a position to reallocate unspent amounts from other municipally funded projects for the municipal share, it is appropriate to seek only the DC proportionate funding at this time.

As part of the new DC by-law recently introduced, funds remaining in the transportation stream will be allocated forward. It has been projected that a balance of $1.7M would be transferred forward. A recent review of building permit activity suggests that after this approval an estimate of $1.5M will be available. The differential of $200K is insignificant in the calculation of the charge over the build-out period and as a result is appropriate for this use. A final accounting of the amount being transferred forward will be completed and reported to council as part of 2004 year end report required under the DC act.

CONTACTS:

Terry Willing, Commissioner, Planning & Development Services 384-1770 ext. 3181
Speros Kanellos, Manager Engineering Division 384-1770 ext. 3133
Gerard Hunt, Manager of Finance 546-4291 ext. 2205

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:

Finance Division

NOTICE PROVISIONS:

Not applicable.

APPENDICES:

None
Terry Willing, Acting Commissioner
Planning & Development Services

Brend Meunier
Chief Administrative Officer
TO:                     Bert Meunier, Chief Administrative Officer
FROM:                   Terry Willing, Acting Commissioner, Planning & Development Services
PREPARED BY:            James English, Pollution Prevention Specialist, Environment Division
DATE PREPARED:          2004-08-26
DATE OF MEETING:        2004-09-07
SUBJECT:                APPLICATION FOR TILE DRAINAGE LOAN UNDER TILE DRAINAGE ACT – KATHLEEN & PATRICK O’CONNOR

RECOMMENDATION:
That the application for loan under the Tile Drainage Act by Kathleen and Patrick O’Connor, in the amount up to $50,000 be approved, it being understood that funds shall be provided through a Tile Drainage Debenture with the Province of Ontario, subject to the availability of funding from the Ontario Ministry Agriculture and Food (OMAF).

ORIGIN/PURPOSE:
An application for a loan under the Tile Drainage Act has been received from Kathleen and Patrick O’Connor, 4000 6th Concession Road, R. R. #1, Joyceville, in the amount of $50,000, for the installation of a tile drain on the property located at Lot 34, Concession VI (former Township of Pittsburgh).

In 1992 and 1995 the former Pittsburgh and Kingston Townships applied for and received approval for funds totaling $187,000 under the Tile Drainage Act. In 1998, $41,100 had been expended, leaving a balance of $145,900. The City of Kingston consolidated this amount into by-law 2001-63. To date the City of Kingston has expended $21,800 leaving a balance of $124,100.

OPTIONS/DISCUSSION:
Under the Tile Drainage Act regulations, Council is required to consider the application for the loan and provide written notification of the status. The farmer may then proceed to complete the work knowing that council has approved his/her application up to a particular dollar amount. Once the work is undertaken by the farmer and the tile installer, the Inspector of Tile Drainage will file with the Clerk an Inspection and Completion Certificate. If work is completed satisfactorily, Council must approve a Rating By-Law in order to impose special annual drainage rates upon the land in respect of the loan. This loan is levied and collected in the same manner as taxes. The By-Law number 2001-63 has been amended to reflect the total for the former Townships of Kingston and Pittsburgh Borrowing By-laws.
Under the legislation, Council may approve lending to the applicant a sum not exceeding the amount applied for or 75% of the total cost of the drainage work with respect to which the loan is made. The approved amount is included in a Debenture payable to the Minister of Finance. The total cost of the work is estimated at $66,700, and the $50,000 loan represents 75% of the costs that can be approved by Council.

Recent changes to the provincial policy allows for a loan amount to be increased from the pre 2004 limit of $20,000 up to a new limit of $50,000 for any fiscal year. The Provincial policy states that "The sum of all loans issued in a fiscal year, to an individual, as an individual, or in his/her role in a partnership or corporation shall not exceed $50,000".

EXISTING POLICY/BY-LAW:
By-law # 2001-63

LINK TO STRATEGIC PLAN:
N/A

FINANCIAL CONSIDERATIONS:
None

CONTACTS:
James English, P.Ag. Pollution Prevention Specialist, Environment Division

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
Council Support – Clerk
Finance Division – Tax Section

NOTICE PROVISIONS:
None

APPENDICES:
None
Terry Willing, Acting Commissioner, Planning & Development Services

Bert Meunier
Chief Administrative Officer

K:\ENV Reports to Council\ C284 E09 - 2004 Tile Drainage Loan Application - O'Connor.doc
TO: Bert Meunier, Chief Administrative Officer

FROM: Terry Willing, Acting Commissioner, Planning & Development Services

PREPARED BY: Joseph E. Davis, Senior Project Manager

DATE OF MEETING: September 7, 2004

SUBJECT: Davis Tannery RFP

RECOMMENDATION TO COUNCIL:

WHEREAS, at its meeting on July 29, 2003 Council directed staff to continue the tax sale process concerning the Davis Tannery site; and

WHEREAS staff was further instructed to develop a policy dealing with the failed tax sale properties; and

WHEREAS, at its meeting on March 9, 2004 Council approved a policy outlining the process to follow when dealing with the failed tax sale properties; and

WHEREAS this policy has been adhered to in dealing with the Davis Tannery site; and

WHEREAS, a Request for Proposals (RFP) for the remediation and redevelopment of the Davis Tannery Site was issued on March 12, 2004 with a closing date of August 4, 2004; and

WHEREAS, four proposals have been received from proponents wishing to remediate and redevelop the Davis Tannery site; and

WHEREAS, two of the four proposals met all of the criteria requested in the RFP; and

WHEREAS staff has evaluated each of the two qualifying proposals and have ranked them in accordance to the RFP;

THEREFORE BE IT RESOLVED that Council endorse the proposal put forward by Conestoga-Rovers & Associates and Kincore Holdings Limited (Kincore), and
BE IT FURTHER RESOLVED that the Mayor and Clerk be authorized to execute the necessary site access agreement, allowing the proponents to enter the site and complete the required environmental testing prior to entering into an agreement of purchase and sale, and

BE IT FURTHER RESOLVED that staff enter into negotiations with the Conestoga-Rovers & Associates and Kincore to develop an agreement satisfactory to our Legal Division, and

BE IT FURTHER RESOLVED that once this agreement has been completed, it will be brought back to Council for its approval.

ORIGIN/PURPOSE:

This matter originates in a City-initiated Request of Proposals (RFP) for the remediation and redevelopment of the Davis Tannery Site. The purpose of this Report is to summarize the submitted proposals received in response to the Request for Proposals and to make a recommendation to Council on the selection of the successful proposal for the remediation and redevelopment of the Davis Tannery site and the further actions needed to deal with the property.

OPTIONS/DISCUSSION:

The Davis Tannery site is approximately 37 acres of land that fronts on the Great Cataraqui River and has been sitting vacant, idle and abandoned for over 30 years, while its outstanding taxes have accumulated to approximately $2.6 million. The Taxation & Revenue unit of the Finance Division exercised its authority under the Municipal Act and offered the property through the tax sales process, which would allow owners or persons with interest in the property to redeem the property from the tax sales process by paying the cancellation price, which is all of the taxes outstanding and the associated costs prior to September 2003. No interested parties stepped forward to pay the cancellation price.

The property was then offered for public sale and that process brought no potential purchasers. As a result the City has a one year period from November 2003 to November 2004 to determine whether the City would like to take ownership of this property (vest property). The City has no interest in pursuing ownership of this property but has approved a policy where staff could issue a request for proposals on such properties, to determine if there is development interest by the private sector.

At its meeting on March 9, 2004 Council approved a policy outlining the process to follow when dealing with the failed tax sale properties. This policy approved by Council has endorsed the following:

- Once a property has failed the tax sale process, meaning that no purchaser has been found, the City can then determine if the property is desirable for its own purposes, or declare the property surplus to the City’s needs.
- If the property is to be declared surplus, the City would then put out a request for proposals for the clean up, divesting and redevelopment of these properties.
If the property is required for municipal purposes, staff would make recommendations on the environmental site assessment and based on those findings an additional determination can be made to continue with the plan to acquire the property for City purposes, or divest it through the RFP process.

There has been no interest expressed by any internal departments for the Davis Tannery site.

The Davis Tannery site RFP has been evaluated by the four proponents and they ranked as follows:

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<th>Criteria</th>
<th>Weighting</th>
<th>Inter-Global</th>
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<td>Experience and Qualifications</td>
<td>40%</td>
<td>5</td>
<td>29.75</td>
<td>29.63</td>
<td>36.50</td>
</tr>
<tr>
<td>Remediation Plan</td>
<td>30%</td>
<td>0</td>
<td>8.25</td>
<td>25.44</td>
<td>24.11</td>
</tr>
<tr>
<td>Development Plan</td>
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<td>10.2</td>
<td>9.75</td>
<td>13.00</td>
<td>17.50</td>
</tr>
<tr>
<td>Financial Impact</td>
<td>10%</td>
<td>3.75</td>
<td>3.5</td>
<td>4.25</td>
<td>8.25</td>
</tr>
</tbody>
</table>

Presentations by the two highest ranking firms (ABNA Investments Ltd. and CRA/Kincore Holdings Inc.) have been made to staff. Staff is satisfied that the highest ranking proponent has the ability, and meets the requirements, to remediate and redevelop the Davis Tannery site. Staff would like to begin negotiations on an agreement of purchase and sale with Conestoga-Rovers & Associates and Kincore with a view to finalizing an Agreement and reporting back to Council in October for final approval. This provides sufficient time for the City to vest the property and then convey title to the developers.

The development proposal is not for Council approval at this point. The planning approval process will guide the development issues for this site and determine the required approvals to be given by the Planning Committee and Council as the process progresses.

EXISTING POLICY/BY-LAW:

At its meeting on March 9, 2004 Council endorsed a policy dealing with failed tax sale properties. This recommendation is based on the policy approved at that time.

LINK TO STRATEGIC PLAN:

This site, although not specifically spoken of in the strategic plan, is very much tied into the strategic plan in that it focuses on the priorities that have been established for immediate action/attention. The remediation and redevelopment of Brownfield sites scored high in both the economic priority area and the environmental priority area. The area of economic prosperity to market these properties for further investment and redevelopment ranked high as providing employment and sustainable development through the use of lands currently serviced. In the area of
the environment, quality of life was stressed with the need to improve quality of land and establish an inventory and a program to develop a Brownfields strategy that would positively impact both the physical health of the community and the environmental health of the municipality. This project could be an example of our policies and strategies coming together to achieve these community goals.

FINANCIAL CONSIDERATIONS:

A requirement of this proposal would be for the City of Kingston to vest this property and write off the outstanding taxes. Financial implications will be provided to council once known.

CONTACTS:

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Paul MacLatchy, Manager, Environment Division, Planning & Development Services (384-1770 ext 3134)
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Gerard Hunt, Manager, Finance Division (546-4291 ext. 2468)
Barclay Mayhew, Manager, Properties Division (546-4291 ext. 1233)
George Wallace, Supervisor, Development Approvals, Planning Division (384-1770 ext. 3252)
Bianca Bielski, Manager, Planning Division (384-1770 ext. 3250)

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:

Environment Division
Finance Division
Legal Division
Properties Division
Planning Division

Representatives from each of these departments have formed the review working group to oversee this process.

NOTICE PROVISIONS:

N/A

APPENDICES:

N/A