

Clause No. 6 in Report No. 9 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on May 15, 2014.

**6**

**CONSTRUCTION OF NINTH LINE  
FROM NORTH OF ELGIN MILLS ROAD TO HOOVER PARK DRIVE,  
CITY OF MARKHAM AND TOWN OF WHITCHURCH-STOUFFVILLE**

**Committee of the Whole recommends adoption of the following recommendations contained in the report dated April 17, 2014 from the Commissioner of Transportation and Community Planning:**

**1. RECOMMENDATIONS**

It is recommended that:

1. Council authorize the agreement between the Region and K.J. Beamish Construction Co. Limited for construction of improvements on Ninth Line (Y.R. 69) from Major Mackenzie Drive East (Y.R. 25) to south of the GO Transit railway crossing, to be amended to increase the contract price, from \$11,873,435.32 to \$18,460,984.27, to accommodate additional scope for reconstruction and widening Ninth Line from south of the GO Transit railway crossing to Hoover Park Drive.
2. Council authorize an increase in the multi-year Capital Spending Authority for Project 80660, Ninth Line (Y.R. 69) from Major Mackenzie Drive East (Y.R. 25) to Main Street Stouffville, from \$9,825,000 to \$11,405,000, in order to proceed with construction of improvements from south of the GO Transit railway crossing in the City of Markham to Hoover Park Drive in the Town of Whitchurch-Stouffville.

**2. PURPOSE**

This report seeks Council authorization to amend the contract with K.J. Beamish Construction Co. Limited, and increase the multi-year Capital Spending Authority for project 80660 for construction of improvements to Ninth Line from Major Mackenzie Drive East to south of the GO Transit railway crossing in the City of Markham (see *Attachment 1*). Council's approval of this report will enable completion of the last section of the Ninth Line improvements project, which extends from Major Mackenzie Drive East to north of Main Street in the Town of Whitchurch-Stouffville.

As the additional fees being requested exceed staff authority provided for in the Region's Purchasing Bylaw, Council approval is required.

### **3. BACKGROUND**

#### **A Ninth Line project status update report was presented to Council in May 2013 advising that a four-phased delivery approach was being adopted**

The Region's Transportation Master Plan identified the need to improve transportation capacity within the Ninth Line corridor between Major Mackenzie Drive East and Main Street. Considerable delays had been encountered for property acquisition from Transport Canada as well as negotiating an agreement with Metrolinx for the widening of the GO Transit railway crossing.

In order to expedite delivery of improvements on Ninth Line, a multi-phased construction approach was employed to ensure the project could proceed for the sections not impacted by property constraints or the Railway Crossing Agreement.

#### **Phase 1 is complete. Construction of Phases 2 and 3 began in 2013 and are expected to be completed by fall 2014 and spring 2015, respectively**

The first phase of the Ninth Line improvements was the replacement of the Major Mackenzie Drive East bridge located west of the Ninth Line, and widening of the Ninth Line bridge south of Major Mackenzie Drive East. This phase started in the spring 2012 and was completed by summer of 2013.

Phase 2, from Hoover Park Drive to north of Main Street, and Phase 3, from Major Mackenzie Drive East to south of the GO Transit railway crossing, both began in spring 2013. Phase 2 is anticipated to be completed by fall of 2014, and Phase 3 is anticipated to be completed by spring 2015.

#### **The constraints for Phase 4 have been cleared and the assessment of roundabouts has been completed**

Phase 4 of the project extends from south of the GO Transit railway crossing to Hoover Park Drive. As part of the 2014 10-Year Roads Construction Program, the construction start date for this phase was deferred to 2018 to allow for a feasibility review and design of roundabouts at both 19<sup>th</sup> Avenue and Reeves Way. The delayed start date also allowed time to update the Railway Crossing Agreement with Metrolinx.

The roundabout assessment concluded that roundabouts could not be accommodated within the property available for the Ninth Line project at Reeves Way and 19<sup>th</sup> Avenue.

As a result, Phase 4 is in a position to move forward based on the design as presented in the Environmental Assessment, which included signalized intersections at Reeves Way and 19<sup>th</sup> Avenue.

Additionally, the Region has worked with Metrolinx to establish principles of the updated Railway Crossing Agreement. While terms are currently being finalized, the project will proceed with an at-grade, four-lane railway crossing, while protecting lands for a future grade-separated crossing when warranted.

#### **4. ANALYSIS AND OPTIONS**

##### **Construction of Phase 4 can proceed, allowing completion of the Ninth Line Project in 2015**

All necessary design, permit and utility work is complete for Ninth Line within the Phase 4 limits. The detailed design is complete as no revisions are required to accommodate roundabouts. All required regulatory permits have also been acquired.

The Phase 4 work is ready for construction to start in spring 2014. This would allow for completion in 2015.

##### **To achieve the 2015 completion schedule, issues associated with contractor spacing and the length of the tendering process need to be managed**

Time and space separation between different contractors minimizes the risk of activities in one phase, negatively affecting the other, which can result in delays and claims to the Region.

Phases 2 and 3 are physically separated from each other with sufficient separation to eliminate the risk of conflicts between contractors. Phase 4 is located adjacent to both Phases 2 and 3. Open tendering of the Phase 4 section could result in a third contractor working in the corridor, with direct project limit overlaps in the north and the south.

The open tender process typically requires a minimum of three months from the time of issuing a tender until work is underway in the field. The time is necessary in order to prepare an updated tender package, post the tender for bids, award and execute the contract and mobilize the necessary resources to the project site. Following an open bid process for Phase 4 would result in a construction start of mid-summer at the earliest, with completion of the project in 2016.

**The entire project can be completed in 2015 by extending the contract for either the Phase 2 or Phase 3 work to include the Phase 4 works**

The issue of contractor overlap and the time associated with the open tender process can be resolved by extending Phase 4 construction works to either of the existing Phase 2 or Phase 3 contractors, and would expedite the start of the Phase 4 construction.

**K.J. Beamish, the contractor working on Phase 3, is prepared to undertake the Phase 4 work at the same contract rates as their current contract**

Mardave Construction (2007) Ltd. and K.J. Beamish Construction Co. Limited were both contacted to gauge their interest in undertaking the Phase 4 construction as extensions of their current contracts for Phases 2 and 3, respectively. Both the Phase 2 and Phase 3 contracts were procured through the competitive process as outlined in the Region's Purchasing Bylaw.

K.J. Beamish Construction Co. Limited advised that they would be able to undertake the Phase 4 construction works at the same contract rates at their 2013 bid for Phase 3. K.J. Beamish Construction Co. Limited provided a cost to complete Phase 4 as an extension to the Phase 3 contract. The total unit bid price for Phase 4 provided by K.J. Beamish Construction Co. Limited is \$6,587,557.95, excluding HST.

Mardave Construction (2007) Ltd. advised that they are not able to undertake the work at the same contract rates for their Phase 2 work.

Awarding the Phase 4 work to K.J. Beamish Construction Co. Limited enables the Region to complete the project in 2015 instead of 2018, as presented in the 10-Year Roads Construction Program. Advancing Phase 4 will reduce construction duration and expedite required transportation improvements for residents and motorists along the corridor. In addition, the Phase 3 bid by K.J. Beamish Construction Co. Limited was very competitive; being approximately \$1.0 million less than the second lowest bid, and was below the Region's engineering estimate.

K.J. Beamish Construction Co. Limited will manage the contractor spacing requirements between Phase 4 and Phase 2 by timing the construction of their work. That is, Mardave Construction (2007) Ltd. will complete the south limits of the Phase 2 work prior to K.J. Beamish Construction Co. Limited needing access to this area of the project.

**Link to key Council-approved plans**

This report supports the implementation of the Regional Official Plan, Transportation Master Plan and Strategic Plan 2015, which promotes improved street networks including

the completion of missing links, and focuses on continuing to deliver and sustain critical infrastructure necessary to support York Region's communities.

## **5. FINANCIAL IMPLICATIONS**

To include Phase 4 of the Ninth Line project earlier than the original forecast of 2018, an increase in current Capital Spending Authority (2014-2015) is needed. The amount of the increase is \$1,580,000 (from \$9,825,000 to \$11,405,000).

To engage KJ Beamish to complete Phase 4, an extension to their existing Phase 3 contract is required. The contractual increase required is \$6,587,557.95 (from \$11,873,435.32 to \$18,460,984.27).

This project is funded 90 per cent from development charges and 10 per cent from tax levy.

## **6. LOCAL MUNICIPAL IMPACT**

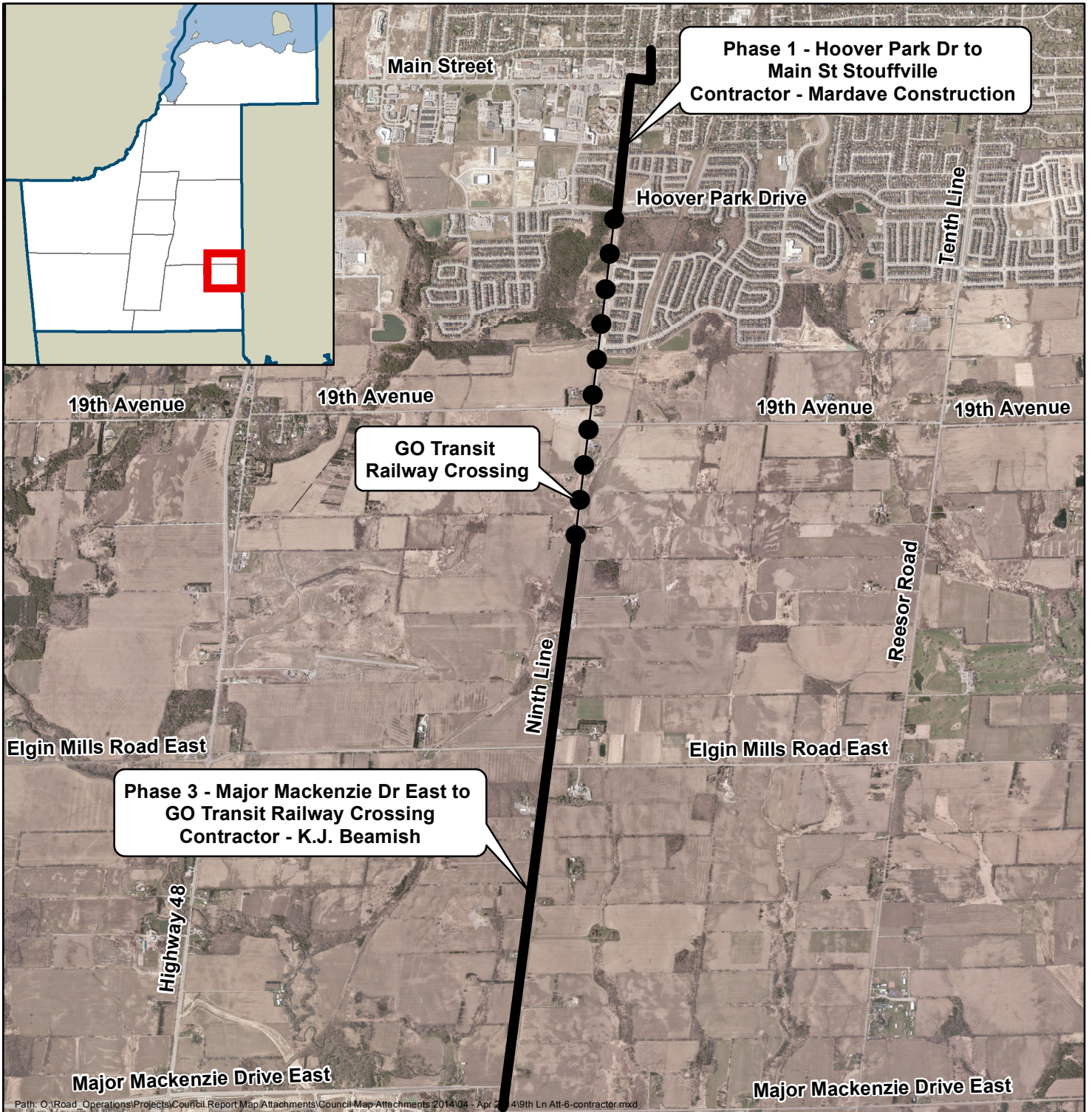
Completion of the Ninth Line improvements will allow for the improved north-south connection to accommodate travel demands for growing communities in the Town of Whitchurch-Stouffville and the City of Markham by the end of 2015. In addition, completing construction in 2015 will reduce construction duration and associated impacts to residents and motorists along this corridor.

## **7. CONCLUSION**

Construction of Phase 4 can now proceed allowing for completion of the Ninth Line Project in 2015. Staff recommends extending the contract for K.J. Beamish Construction Co. Limited to undertake the Phase 4 work at the same time and rate as their current Phase 3 contract. This option represents good value to the Region based on the favourable Phase 3 bid.

For more information on this report, please contact Brian Titherington, Director, Roads at extension 75901.

The Senior Management Group has reviewed this report.



## Location Plan

Ninth Line Improvements  
 Phase 4 - GO Transit Railway Crossing to Hoover Park Drive  
 Town of Whitchurch-Stouffville & City of Markham  
 May 1, 2014



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