

# **The Regional Municipality of York**

Committee of the Whole  
Transportation Services  
April 8, 2021

Report of the Commissioner of Transportation Services

## **Amendment to Agreement for Consultant Services for Bathurst Street Highway 7 to Major Mackenzie Drive Cities of Vaughan and Richmond Hill**

### **1. Recommendation**

Council approve an amendment to the agreement between the Region and Parsons Corporation for improvements to Bathurst Street (Y.R. 38) from Highway 7 (Y.R. 7) to Major Mackenzie Drive (Y.R. 25), in the Cities of Richmond Hill and Vaughan, to increase the contract price within the Capital Spending Authority for this project, from \$3,582,235 to \$4,982,235, excluding HST, to update the design and prepare the contract for construction.

### **2. Summary**

This report seeks Council approval to increase the contract price of the agreement with Parsons Corporation to update the design and prepare the contract for construction. A location map is included as Attachment 1.

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

Key Points:

- The Region started the design of the Bathurst Street project from Highway 7 to Elgin Mills Road/Teston Road in 2011.
- To avoid construction on parallel streets, the Bathurst Street project was put on hold until the vivaNext work on Yonge Street was completed.
- The design had been advanced to 90% and put on hold with the expectation it would have to be updated before proceeding to construction.
- The project design and documentation are out-of-date and need to be updated to finalize permits, revise property requirements, incorporate new regulations and standards and prepare the project for construction.

- The consulting agreement needs to be updated to include design assistance during construction
- Utility relocation has been underway since 2018 and is almost complete based on the current design; however, some additional utility work is required to accommodate the switch to raised cycle tracks.

### 3. Background

#### **While the detailed design was awarded to Parsons Corporation in 2011, construction was deferred pending completion of vivaNext work on Yonge Street**

In 2009, the Environmental Assessment for Bathurst Street from Highway 7 to Teston Road/Elgin Mills Road was approved. In June 2011, the detailed design for this project was awarded to Parsons Corporation and detailed design proceeded shortly afterwards. The planned improvements for this section include widening from a four-lane to six-lane cross-section, including bike lanes, a landscaped median, noise barriers, culvert replacements, full illumination and continuous sidewalks on both sides.

Construction was originally scheduled to commence in 2014; however, the Yonge Street Bus Rapid Transit (BRT) construction was also scheduled to begin in 2014. Since the BRT construction on Yonge Street would have a significant impact on traffic and transit operations, and Bathurst Street was one of the few viable alternate routes, construction was deferred until after the BRT work was complete. Having parallel routes under construction at the same time would have been detrimental to travel within the area.

In December 2020, the vivaNext BRT route on Yonge Street from Highway 7 to 19<sup>th</sup> Avenue/Gamble Road was opened for service. Staff are now preparing to update the Bathurst Street design in preparation for construction beginning in 2023.

#### **Project design was taken to 90 per cent completion and then put on hold**

As the project was expected to be deferred for a few years, the design was taken to 90% completion and then put on hold. This was done to finalize some design so that utility relocations could commence. It was understood that, when the project restarted, some of the project requirements would be revisited and updated to prepare for construction.

Some processes, such as land acquisition, were completed before the deferral decision; however, others, such as environmental permits, were not finalized because permits, even if obtained, would expire.

#### **The section of Bathurst Street from Highway 7 to Major Mackenzie Drive will be the first to be constructed**

The project limits for the Environmental Assessment and detailed design were from Highway 7 to Elgin Mills Road/Teston Road and previous budgets for this project included construction funding for the same limits, generally in the same years. Current prioritization of Transportation Services projects has changed the programming for this project. The section between Highway 7 and Major Mackenzie Drive will be constructed starting in 2023 and the

section between Major Mackenzie Drive and Elgin Mills Road/Teston Road will be constructed later, beyond the 10-Year budget timeline.

The additional fees requested in this report would be used to update the tender package for the section between Highway 7 and Major Mackenzie Drive. The remaining portion will be updated in future, matching the construction timeline.

### **Utility relocation has been underway since 2018 in preparation for the future roadway construction**

Although the roadway construction was deferred until after the vivaNext construction, the Region proceeded with utility relocation. It was anticipated the utility work would take at least three years to complete and best to start it as soon as possible.

Utility relocation began in 2018 and is anticipated to be completed in 2021, excepting some additional work required to accommodate design updates. There are significant utilities along this corridor, which were relocated in phases. The Region's share of utility relocation costs to date is approximately \$8 million.

## **4. Analysis**

### **The original agreement with Parsons Corporation needs to be amended to provide for additional consulting services required to complete the project design**

Since the project was put on hold in 2018, conditions have changed along the corridor and there have been new standards and guidelines implemented that must be considered to prepare the contract for construction. Staff has been working with Parsons Corporation to determine the outstanding scope of work to complete the project. Only necessary updates will be undertaken, including those due to changes in regulations or site conditions.

Some of the major items to be addressed include:

- Transition from six lanes to the existing condition north of Major Mackenzie Drive to account for the new project limits
- Revise the design to account for vivaNext work at Highway 7
- Revise the design to incorporate new adjacent developments along Bathurst Street, such as the west side at Birch Avenue and the east side south of Pemberton Road, and to work with developers to coordinate future developments.
- Revise the staging to reflect the changes in design.
- Update the project to address new provincial excess soil regulations
- Update the intersections to account for *Accessibility for Ontarians with Disabilities Act* (AODA) guidelines and standards

- Update the illumination design to account for revisions in the Cities of Richmond Hill and Vaughan lighting standards and the new Alectra standards regarding attachments to utility poles
- Update the watermain design for the City of Richmond Hill
- Update the drainage design to account for new Toronto and Region Conservation Authority requirements and stormwater management strategy
- Include irrigation for the median planters
- Include YorkNet infrastructure in the project
- Confirm property easements and secure new ones
- Finalize and secure all permit applications
- Update contract drawings, tender package, and prepare for e-tender requirements

Design changes are required to address a shift away from on-street bicycle lanes to separated facilities. The recommended cycling facility proposed for Bathurst Street at the time of the Environmental Assessment was on-street bicycle lanes and this was carried forward to the detailed design phase. Since the design began, there has been a shift away from on-street bicycle lanes to separated facilities such as cycle tracks or multi-use paths that are off the road and in the boulevard.

As part of this update, it is proposed to revise the design to include raised cycle tracks similar to and matching those constructed as part of the vivaNext BRT project on Bathurst Street, south of Highway 7. There will be additional design revisions and utility relocations required to make this change; however, it is considered a positive for the overall project and will benefit the community.

### **The original consultant assignment was for detailed design only and it is now proposed to include design assistance during construction**

The original consultant assignment was developed in 2011. The focus was on the detailed design aspects of the project and the activities needed to prepare a contract and be ready for tender and construction. The agreement did not include any fees for design assistance during construction and the preparation of record drawings, in keeping with current practice.

Due to the scale and complexity of the Bathurst Street project, the design consultant must work closely with the Region and the contractor throughout the construction phase.

Examples of consultant tasks during construction include:

- Addressing requests from the contractor to provide clarification on the design and revising and stamping drawings with a professional seal, specifications and quantities as needed
- Addressing unforeseen site issues, such as varying soil conditions or utility conflicts and adjusting designs accordingly

- Reviewing shop drawings for bridges, culverts and retaining walls, drainage structures, watermain structures and providing comments and acceptance
- Reviewing alternate designs or products proposed by the contractor
- Attending site meetings to address construction issues/conflicts
- Reviewing contractor claims related to quantity disputes or interpreting contract specifications
- Conducting interim and final inspections to ensure construction meets design requirements
- Reviewing on-site design changes required due to unexpected issues found during construction to keep the potential liability of any design problems and errors/omissions with the original designer
- Preparing as-built drawings reflecting changes that took place during construction

Design assistance during construction does not include the day-to-day contract administration and inspection required during the construction phase. A separate consultant assignment will be required for this work and will be acquired through the Request for Proposal process once the project gets closer to construction.

## 5. Financial

### **Additional fees are required for Parsons Corporation to finalize the design and contract package in preparation for construction start in 2023**

The agreement with Parsons Corporation will need to be amended by \$1,400,000 to undertake additional work to complete the Bathurst Street project and prepare for construction. Staff have reviewed the request for additional fees and consider them to be fair and reasonable. This amount is not a lump sum amount and only actual hours worked by the consultant will be paid.

### **The total additional fees will be funded from 90 per cent development charges and 10 per cent tax levy**

There are sufficient funds included in the 2021 Roads Capital Budget and Capital Spending Authority for this additional work. All expenditures for this project will be funded from 10 per cent tax levy and 90 per cent development charges.

## 6. Local Impact

The Bathurst Street project is a major link in the Regional road network serving the Cities of Richmond Hill and Vaughan and will provide many benefits including:

- Transit/High Occupancy Vehicle Lanes from Major Mackenzie Drive to the Highway 7 Ramp connecting to the recently completed vivaNext work
- Residential and commercial growth support in the area
- Cyclist access through the installation of bicycle lanes
- City of Richmond Hill and City of Vaughan streetlighting and sidewalk upgrades
- City of Richmond Hill watermain upgrade

## 7. Conclusion

Further design work is needed for the Bathurst Street improvement project in preparation for construction in 2023. As the project was put on hold pending completion of the vivaNext work on Yonge Street, aspects of the project are out-of-date and need to be updated to meet current regulations, standards, guidelines, permit requirements and other project requirements.

Staff recommend the agreement with Parsons Corporation be amended by an amount of \$1,400,000, increasing the total from \$3,582,235 to \$4,982,235, excluding HST.

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For more information on this report, please contact Salim Alibhai, Director, Capital Planning and Delivery, at 1-877-464-9675 ext. 75229. Accessible formats or communication supports are available upon request.

Recommended by:



**Paul Jankowski**  
Commissioner of Transportation Services

Approved for Submission:



**Bruce Macgregor**  
Chief Administrative Officer

March 19, 2021  
Attachment (1)  
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