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PRELIMINARY ENGINEERING AND EARLY CAPITAL WORKS PROGRAMME DAVIS DRIVE AND YONGE STREET (MULOCK DR. TO DAVIS DR.) RAPIDWAYS

The Rapid Transit Public/Private Partnership Steering Committee recommends the adoption of the recommendations contained in the following report dated February 26, 2009, from the Vice-President, York Region Rapid Transit Corporation.

1. RECOMMENDATIONS

It is recommended that:

1. Subject to staff determining in conjunction with the Owner's Engineer that the York Consortium 2002 proposal is cost competitive and within budget, that York Consortium 2002 be retained to undertake the preliminary engineering for both the Davis Drive (D1) Rapidway and that portion of the North Yonge (Y3) Rapidway, between Mulock Drive and Davis Drive (Y3.2), including the extension of Viva service in mixed traffic to the Highway 404 Commuter Lot on Davis Drive and the East Gwillimbury GO Station on Green Lane.
2. Subject to approval of Metrolinx funding through the pending Provincial budget, a package of early works projects on the D1 corridor, focusing on the Main Street to Prospect Street section, be initiated concurrently with Preliminary Engineering, in accordance with the "Owner's Engineer Cost Opinion Evaluation Process for Projects Under \$1,500,000", to advance design to a sufficient level of detail to secure approvals and establish a capital budget.
3. Council authorize the Regional Chair and Clerk to execute a contract with York Consortium 2002 for such work in a form acceptable to staff and legal counsel.
4. In the event that York Consortium 2002's business proposal to undertake the work identified by the Owner's Engineer is not deemed to be cost competitive, that Council authorize staff to immediately publicly tender the work through an RFP.
5. Staff report back to Council on the progress of the work programme for such work on a regular basis.
6. The Regional Chair and Clerk be authorized to enter into the necessary Agreement with the Province to secure funding for this work.

2. PURPOSE

The purpose of this report is to seek approval for:

- a) York Consortium 2002 (YC2002) to undertake the completion of the preliminary engineering work programmes for the vivaNext – D1 and Y3.2 Rapidways (see Figure 1), subject to the YC2002 price being cost competitive.
- b) YC2002 to initiate sufficient final design efforts for a package of early capital works projects to secure approvals and establish a capital budget.
- c) The Regional Chair and Clerk to enter into any necessary Agreement with the Province and with YC2002 to undertake such work, and the necessary provincial agreements to secure the funding announced in the March 25, 2008 Provincial Budget for Quick Win projects, which includes this segment of vivaNext rapidways.

3. BACKGROUND

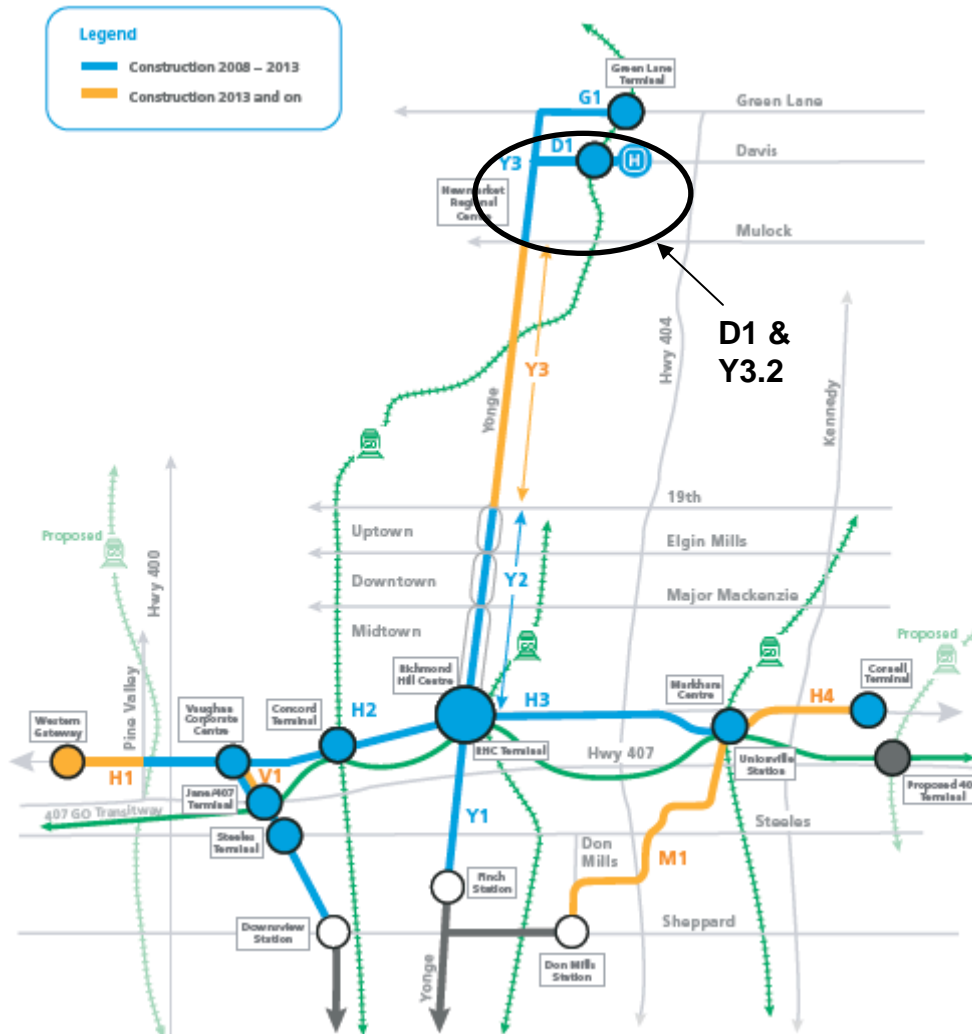
The Environmental Assessment for the North Yonge Street Corridor, including Davis Drive and Green Lane, was completed and filed in December 2008

The North Yonge Street Corridor Public Transit and Associated Road Improvements Class Environmental Assessment was completed and filed for public review from December 5, 2008 to January 13, 2009. Staff is currently working with the Ministry of the Environment to address issues raised in Part II Order requests received during the public review of the Class EA. A decision by the Ministry of the Environment on the Part II Order requests is expected by March 20, 2009.

In October 2008, Metrolinx approved the Viva Benefits Case and in December 2008 identified funding for the priority segments of the rapid transit system

Metrolinx has recognized that Davis Drive (D1) is a key early phase project on the Viva rapid transit network through their reports in October and December, 2008. As a result, in January 2009, Regional Council authorized staff to commence the expropriation process on Davis Drive, subject to a number of conditions, including the approval of capital funding in the Provincial budget in March 2009.

Figure 1
York Region Rapid Transit Network – Phase 2



Council authorized the award of the Davis Drive concept design level work in June, 2008

Due to the time and effort required to acquire lands necessary to accommodate rapidways and intersection improvements, in June 2008 staff received Council authority to award concept level design work for the Davis Drive rapidways from Yonge Street to Southlake Regional Health Centre to York Consortium 2002. This work commenced in November 2008 and includes the development of plans showing permanent and temporary property requirements to support the discussions with land owners and the commencement of the formal property acquisition process.

Funding for Quick Win projects, including Davis Drive, has been approved by the province

The Quick Wins Tranche 2 project list for York Region was approved in the Provincial Spring Budget on March 25, 2008, and included funding for preliminary engineering of the rapidway segments on Yonge Street from Mulock Drive to Davis Drive (Y3.2), and along Davis Drive (D1).

4. ANALYSIS AND RECOMMENDATIONS

The D1 rapidway is to be under construction in 2009

The North Yonge Street Corridor includes the section from 19th Avenue/Gamble Road to Green Lane (Y3), Davis Drive (D1) and Green Lane (G1). The corridor has been divided into three segments for implementation:

- Yonge Street from 19th Avenue to Mulock Drive (Y3.1)
- Yonge Street from Mulock Drive to Davis Drive (Y3.2), and Davis Drive from Yonge Street to Highway 404 (D1)
- Yonge Street from Davis Drive to Green Lane (Y3.3), and Green Lane from Yonge Street to the East Gwillimbury GO Station (G1)

The property acquisition programme for Davis Drive (D1) has begun

On January 24, 2009, Council endorsed commencement of the property acquisition programme, which is based on the concept level design work being undertaken by YC2002. Subsequently, registered letters were sent to property owners in January to initiate site survey work to confirm land ownership boundaries. A second register letter providing Notice of Expropriation was sent out in mid-February. Contact was made with all the landowners by the rapid transit Community Liaison Specialist prior to them receiving the notification.

The scope of the D1 and Y3.2 preliminary engineering work programme has been finalized

Final preparations are now underway for the commencement of the preliminary engineering phase for the Y3.2 and D1 rapidways, including extension of Viva service in mixed traffic to the Highway 404 commuter parking lot on Davis Drive and the East Gwillimbury GO Station on Green Lane.

The scope of the preliminary engineering work programme was developed by the Owner's Engineer, and refined through discussion with YC2002 and rapid transit staff. Subject to Council authority to proceed, YC2002 will submit a business proposal and the Owner's Engineer will submit a shadow bid for the work. The bid price will be assessed

within the terms of the Master Agreement and Going Forward Business Arrangements Agreement.

An early works project on Davis Drive will be developed for construction commencement in 2009

The early works capital project contemplates that an element of the work be advanced to enable a 2009 construction programme start. The section of Davis Drive between Main Street and Prospect Street has been identified as the best candidate for an early works project, and may include the first phase of replacement of the East Holland River (Keith) Bridge through construction of a new bridge south of existing Davis Drive, utility relocation, and roadway widenings associated with construction.

Additional design work beyond preliminary engineering will be required to facilitate approvals and permits from external agencies, and confirm the capital budget for the work prior to commencing negotiations for a design-build contract. The scope of this design work will be developed by the Owner's Engineer early in the preliminary engineering phase, in consultation with YC2002, and in coordination with the permitting agencies on their requirements. YC2002's business proposal to complete the additional work beyond preliminary engineering to address the permit and approval requirements will be assessed in accordance with the "Owner's Engineer Cost Opinion Evaluation Process for Projects Under \$1,500,000", which was approved by Council on June 19, 2008.

Other candidates for early capital works projects on the D1 corridor will be investigated during the preliminary engineering phase, and staff will report back once preliminary engineering is sufficiently advanced to identify the full bundle of 2009 projects.

5. FINANCIAL IMPLICATIONS

D1 and Y3 preliminary engineering has been approved in the 2008 rapid transit capital budget

The Quick Wins Tranche 2 project list for York Region was approved in the Provincial Spring Budget on March 25, 2008, and included funding for preliminary engineering of the rapidway segments on Yonge Street from Mulock Drive to Davis Drive (Y3.2), and along Davis Drive (D1).

6. LOCAL MUNICIPAL IMPACT

The benefits of constructing rapidways to take rapid transit vehicles out of mixed traffic will result in travel time savings for rapid transit passengers and truly put the “rapid” into the York Region rapid transit system.

Moving forward on the preliminary engineering for the D1 and Y3.2 segments will further facilitate access to the Southlake Cancer unit, which will be opened in 2010. It is expected that 60,000 individuals will travel to/from the Southlake Cancer unit annually.

The Town of Newmarket, in conjunction with the York Region Rapid Transit Corporation, has set up an implementation team to coordinate and advance the construction of Davis Drive.

7. CONCLUSION

The Davis Drive (D1) and Yonge Street (Y3.2) rapidway segments are the next logical segments to commence preliminary engineering based on travel demand, and to facilitate access to the Southlake Cancer unit, which will be opened in 2010. The Province, in its 2008 Spring Budget, included funding for the preliminary engineering along these segments.

This report seeks authorization to award the preliminary engineering work to York Consortium 2002, subject to staff determining in conjunction with the Owner’s Engineer that the York Consortium 2002 proposal is cost competitive and within budget in accordance with the Master Agreement and Going Forward Business Arrangements Agreement.

This report also seeks authorization to proceed with additional design work on a package of early works capital projects on Davis Drive, for a construction start in 2009. The scope of this work will be developed by the Owner’s Engineer early in the preliminary engineering phase, and will focus on efforts required to secure approvals and permits. This work effort will be assessed in accordance with the “Owner’s Engineer Cost Opinion Evaluation Process for Projects Under \$1,500,000”.

If staff are unable to negotiate a satisfactory price based on the recommendations of the Owner’s Engineer, this report recommends publicly tendering this work through a Request for Proposals.

The Senior Management Group has reviewed this report.