

**To:** COUNCIL

**Meeting Date:** 06/08/2021

**Subject:** Beverly Street Pedestrian Underpass

**Submitted By:** Kevin De Leebeeck, Director of Engineering

**Prepared By:** Prasad Samarakoon, Project Engineer

**Report No.:** 21-155(CD)

**File No.:** T21-33

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## Recommendations

THAT Report 21-155 (CD) Beverly Street Pedestrian Underpass be received;

AND THAT Mayor and Clerk be authorized to execute the required Construction and Maintenance agreements with Canadian Pacific Railway for the Beverly Street Pedestrian Underpass, to the satisfaction of the City Solicitor;

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## Executive Summary

### Purpose

- Staff are seeking Council approval to execute construction and maintenance agreements with Canadian Pacific Railway for the construction of the Beverly Street Pedestrian Underpass. The proposed construction works are within the Canadian Pacific Railway property requiring the execution of associated agreements prior to construction commencing.

### Key Findings

- Tender T21-33 Beverly Street Underpass closed on May 17<sup>th</sup>, 2021 with no bids received. Staff are entering negotiation discussions with experienced contractors as permitted under section 12.1.5 of the City's Procurement By-Law 19-187, in instances where no bids are received through formal bid call.

### Financial Implications

- At this point in time, the estimated cost for this project, remains within the approved project budget of \$2,720,000, including CP Rail costs outside of the tender contract. Additional funding will be requested through Council, should

negotiations result in a bid price higher than current estimates, prior to the project being awarded.

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## Background

In the summer of 2019 through Report 19-139(CD) the Municipal Class Environmental Assessment (EA) Study for Beverly Street Transportation Improvements was completed. The final Recommended Plan of the EA provided a phased approach to implementation with the preferred alternative identified for the Phase 2 (mid-term) improvements to include a new pedestrian and cyclist underpass at the existing constrained Canadian Pacific (CP) Railway road underpass. The objective of this project is to construct a safer and improved means for pedestrians and cyclists to travel along the Beverly Street corridor through the CP Rail subway.

The Beverly Street pedestrian and cyclist underpass project is the first project in a series of planned work in the area, outlined as follows:

- 2021 City of Cambridge Project: Beverly Street Pedestrian Underpass and Multi Use Trail Works
- 2022 Region of Waterloo Project: Dundas Street North Reconstruction including Beverly Street roundabout intersection works
- 2023 City of Cambridge Project: Beverly Street Reconstruction - Dundas Street North to Samuelson Street

Detailed project description and project plans are available on the City's Engage Cambridge platform (<https://www.engagewr.ca/beverlystreet>) established in the fall of 2020 as part of the detailed design public consultation process. The PIC exhibits boards are also included as an attachment to this report. Additional project detail and background is also available on the City's website (<https://www.cambridge.ca/en/learn-about/beverly-street-transportation-project.aspx#>).

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## Analysis

### Strategic Alignment

PEOPLE To actively engage, inform and create opportunities for people to participate in community building – making Cambridge a better place to live, work, play and learn for all.

Goal #2 - Governance and Leadership

Objective 2.5 Focus on the responsible management of financial resources, ensuring transparency and accountability.

The public bidding process ensures the City maintains an open and transparent public process that provides accountability on the utilization of financial resources.

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## Comments

The Beverly Street Pedestrian Underpass project includes construction works primarily on the Canadian Pacific Railway lands. Prior to construction proceeding, construction and maintenance agreements between the City and CP Rail are required. The construction agreement outlines CP's conditions and requirements for the works on their land. The maintenance agreement outlines the responsibility of the City for all future maintenance of the pedestrian underpass tunnel once constructed.

City Engineering staff and their consultant BTE have been working closely with CP Rail and their consultant AECOM throughout the design of the project and the agreements have been reviewed in consultation with City Legal Services and Risk divisions.

The tender for the Beverly Street Pedestrian Underpass construction project was released on April 30<sup>th</sup> 2021 as part of a competitive bidding process. Unfortunately, no bids were received as part of this process.

Through preliminary discussions with plan takers, the primary reasons provided for not submitting a bid were constrained project timelines, strict CP track closure windows, and overall project workloads and volume of work currently out for tender. Staff are currently exploring negotiations with preferred plan takers to determine if a successful contract agreement can be reached for work within 2021. There may be some additional flexibility for final completion in the Spring of 2022, as long as the contract work does not conflict with the Region of Waterloo's planned Dundas Reconstruction works. CP representatives will be part of the negotiation discussions, to determine if any further flexibility can be provided in terms of track closure windows.

Council has the option to request Staff to halt negotiations, and defer the underpass work until the planned 2023 reconstruction of Beverly Street. This would be following the completion of the Region's Dundas Reconstruction, including roundabout works.

With CP Rail requirements of oversight and approval of the design for works on their property, there is the potential of additional design review/approval costs if the project is delayed by two years, in addition to the likelihood of increased costs as a result of construction industry inflation.

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## Existing Policy/By-Law

### **Procurement By-law 19-187**

Section 12.1.5 of the City's Procurement By-law 19-187 outlines negotiation, conducted under the direction of the Manager of Procurement and/or the Procurement Division,

which may be used for the procurement of goods and services where no bids are received through a formal tender bid call.

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## Financial Impact

At this point in time, the estimated cost for this project, remains within the approved project budget of \$2,720,000, including CP Rail costs outside of the tender contract. Additional funding will be requested through Council, should negotiations result in a bid price higher than current estimates, prior to the project being awarded.

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## Public Input

### Environmental Assessment and Design

A total of three (3) public consultation sessions were held as part of the Class Environmental Assessment (EA) and detailed design process for the Beverly Street underpass and future road reconstruction. Consultation was undertaken as follows:

- Class EA Community Café: April 18, 2018.
- Class EA Community Consultation Session No.2: June 27, 2018 (preferred alternative).
- Detailed Design Community Consultation (Virtual due to COVID-19): November 10, 2020 to December 11, 2020.

### Tendering Process

Request for Tender documents for this project were made available to the public for viewing and submission on the City's Bids and Tenders website.

This tender had twenty-two (22) plan takers, including sub-trades and suppliers, with no submissions received.

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## Internal/External Consultation

### Environmental Assessment and Design

The CP Rail Construction and Maintenance agreements have been reviewed in consultation with the City's Legal Services and Risk divisions in relation to indemnification and insurance requirements by CP Rail for the project. The maintenance agreement and project plans have also been reviewed in consultation with the Operations Services with Transportation Engineering providing feedback throughout the project plan development.

## Tendering Process

Request for Tender documents were compiled by Procurement, however the detailed specifications contained within the tender documents were prepared and submitted to Procurement by the Community Development Department.

The advertising for this tender was as follows:

- a) Advertised on the City's Bids and Tenders website: April 30, 2021
- b) Tender Closing Date: May 17, 2021

Final Date for Acceptance of Tender: June 22, 2021

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## Conclusion

City staff have worked closely with CP staff throughout the design of this project and through the necessary agreements. The execution of the construction and maintenance agreements with CP Rail is required in order to proceed with construction. The project tender closed on May 17<sup>th</sup>, 2021 with no bids received. Staff are currently in negotiation discussions with preferred vendors, to determine if a contract agreement can be reached for works to proceed in 2021. If the project does not proceed in 2021, the project will be deferred until 2023 as part of the planned Beverly Street Reconstruction project. This work is planned following the Region's completion of their Dundas Reconstruction works. The proposed works are in alignment with the City's strategic active transportation objectives of reducing barriers to active modes of transportation.

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## Signature

### Division Approval

Reviewed by the CFO



Approved by J. Croft, A/ Director of Engineering 2021-05-19 (:il)

Reviewed by Legal Services

**Name: Jamie Croft for Kevin De Leebeek**

**Title: Director of Engineering**

### Departmental Approval



**Name: Hardy Bromberg**

**Title: Deputy City Manager, Community Development**

## City Manager Approval

A handwritten signature in black ink that reads "David Calder". The signature is written in a cursive style with a large initial 'D'.

**Name: David Calder**

**Title: City Manager**

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### Attachments

- Attachment A: Public Information Centre Exhibit Boards

# Beverly Street Pedestrian Underpass and Road Reconstruction Detail Design

Thank you for participating in the Online Public Information Centre (PIC) for the City of Cambridge's Beverly Street (Dundas Street North to Elgin Street North) Detail Design Project.

At the present time, the Province of Ontario has implemented a State of Emergency requiring measures to deal with the COVID-19 pandemic, including restrictions on public gatherings. As a result, this Public Information Centre is relying on web-based communications. Should you have any questions regarding the study please contact the City or Consultant Project Managers. If you require information in an accessible format or accommodation to access municipal services, please contact [accessibility@cambridge.ca](mailto:accessibility@cambridge.ca).

Comments can be submitted by emailing [stevenj.taylor@bteng.ca](mailto:stevenj.taylor@bteng.ca) and/or [samarakoonp@cambridge.ca](mailto:samarakoonp@cambridge.ca) by **November 24, 2020**.

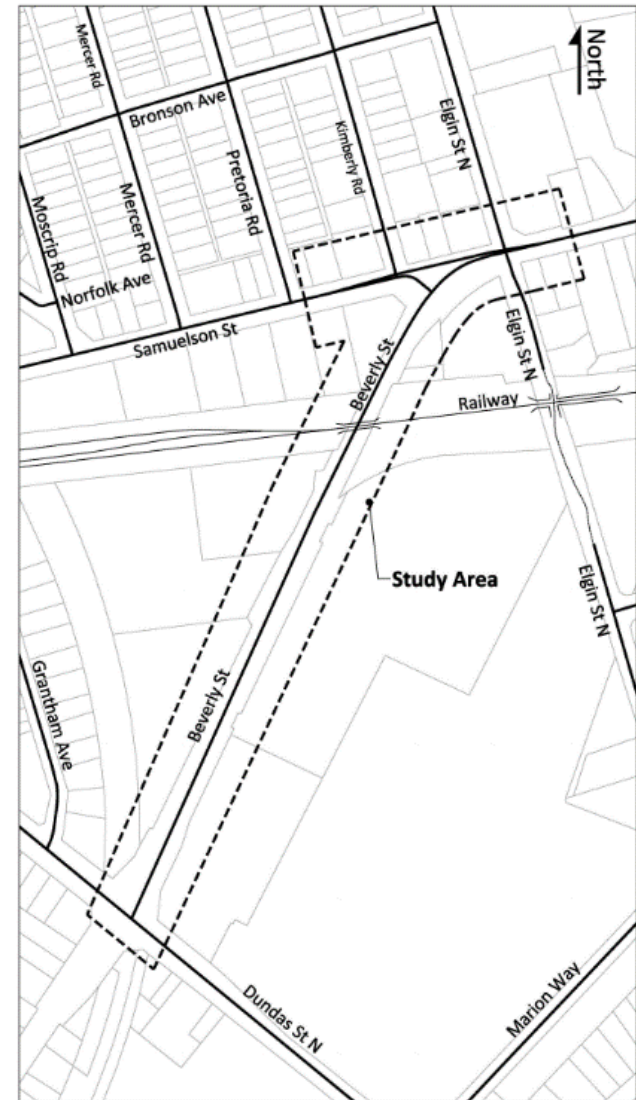


# Background

The City of Cambridge carried out a Municipal Class Environmental Assessment (EA) for the planning of active transportation facilities on Beverly Street from Dundas Street North to Elgin Street North. The Environmental Assessment Report documented:

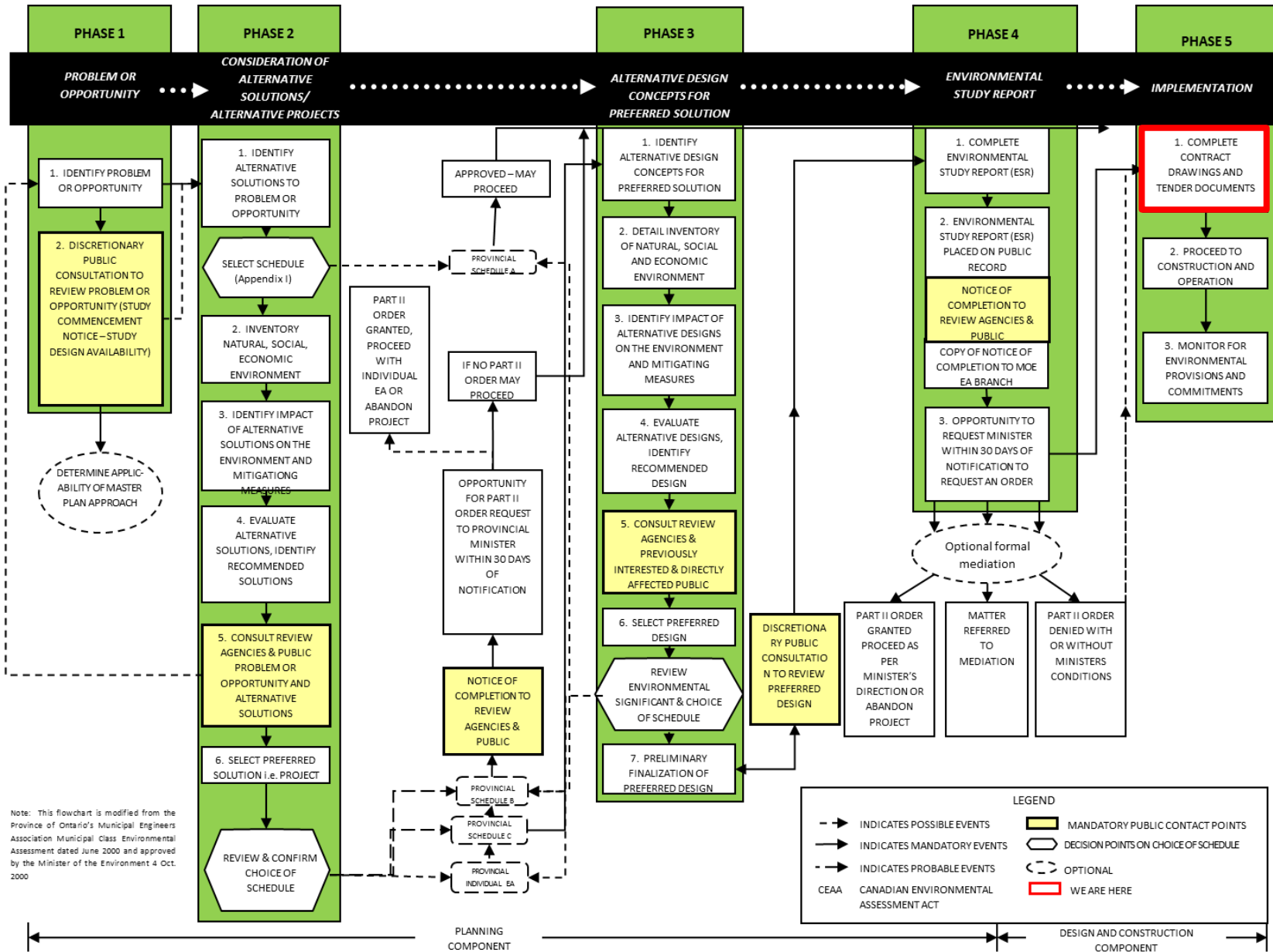
- ▶ The decision-making process for road improvements and pedestrian facilities within the Study Area
- ▶ The Recommended Plan for improvements included:
  - 3.0 m multi-use trail (MUT) behind the existing south abutment at the CP Rail crossing
  - Replacement of the channelized westbound lane from Beverly Street to Samuelson Street with a westbound right-turn taper
- ▶ Following the EA a decision was made to include a watermain along Beverly Street and complete reconstruction of Beverly Street

The Detail Design was initiated following completion of the Project File Report and is presented on the following exhibits. A copy of the Project File Report is available on the City's website at <https://www.engagewr.ca/cambridge>.





# Municipal Class EA Process



# Preliminary Design from the Environmental Assessment (EA)

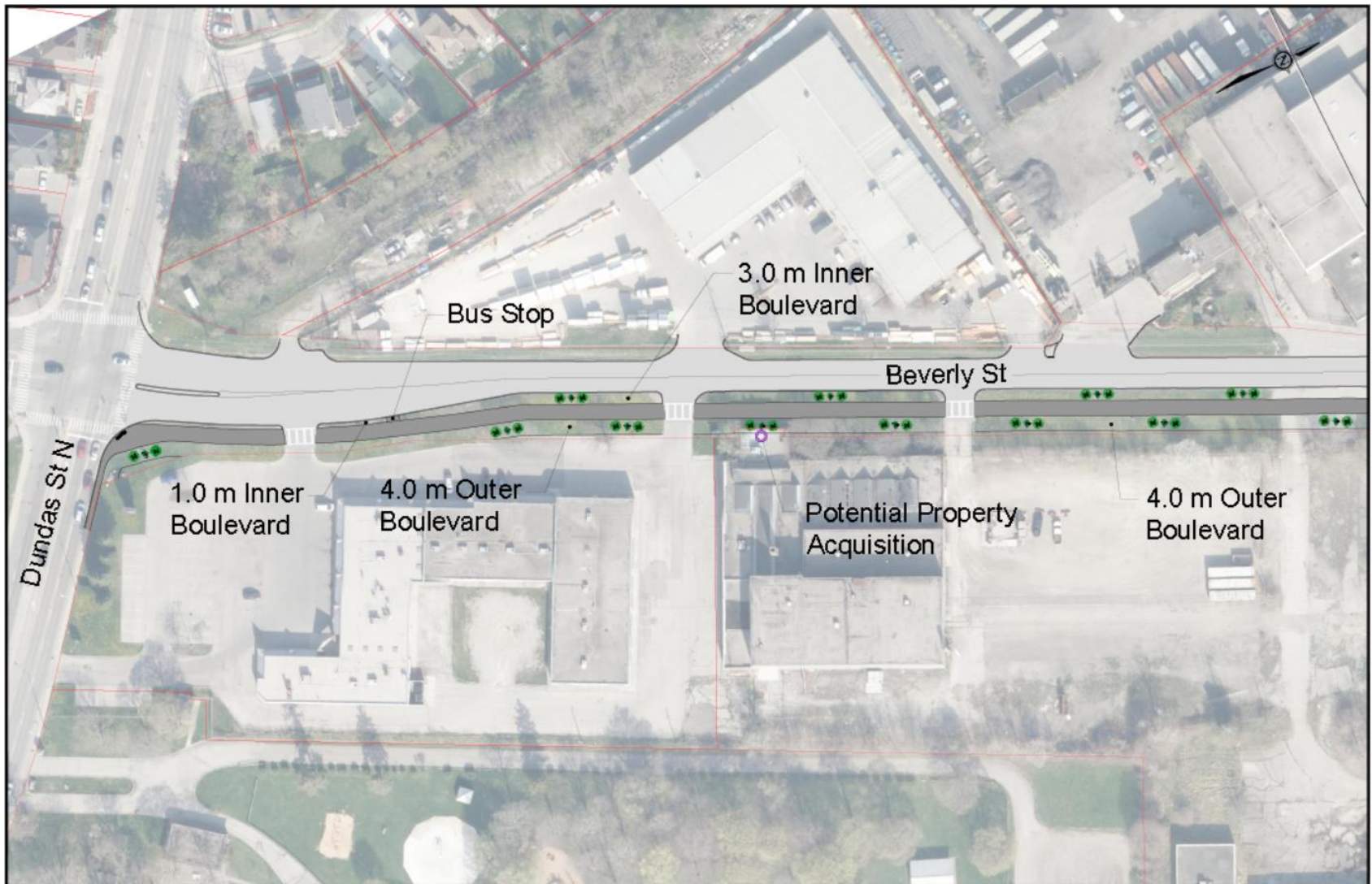
The Recommended Plan from the Environmental Assessment provides the basis of the Detail Design. The Detail Design process includes:

- ▶ Detail Design of the new Beverly Street Pedestrian Underpass.
- ▶ Establishing the vertical/horizontal profile and cross sections for the road reconstruction and multi-use trail design.
- ▶ Design of new municipal services (watermain, sanitary sewer and storm sewer). The new municipal services will be constructed to the property line by the City.
- ▶ Lighting design for the pedestrian underpass.
- ▶ Coordination with CP Rail and utilities.

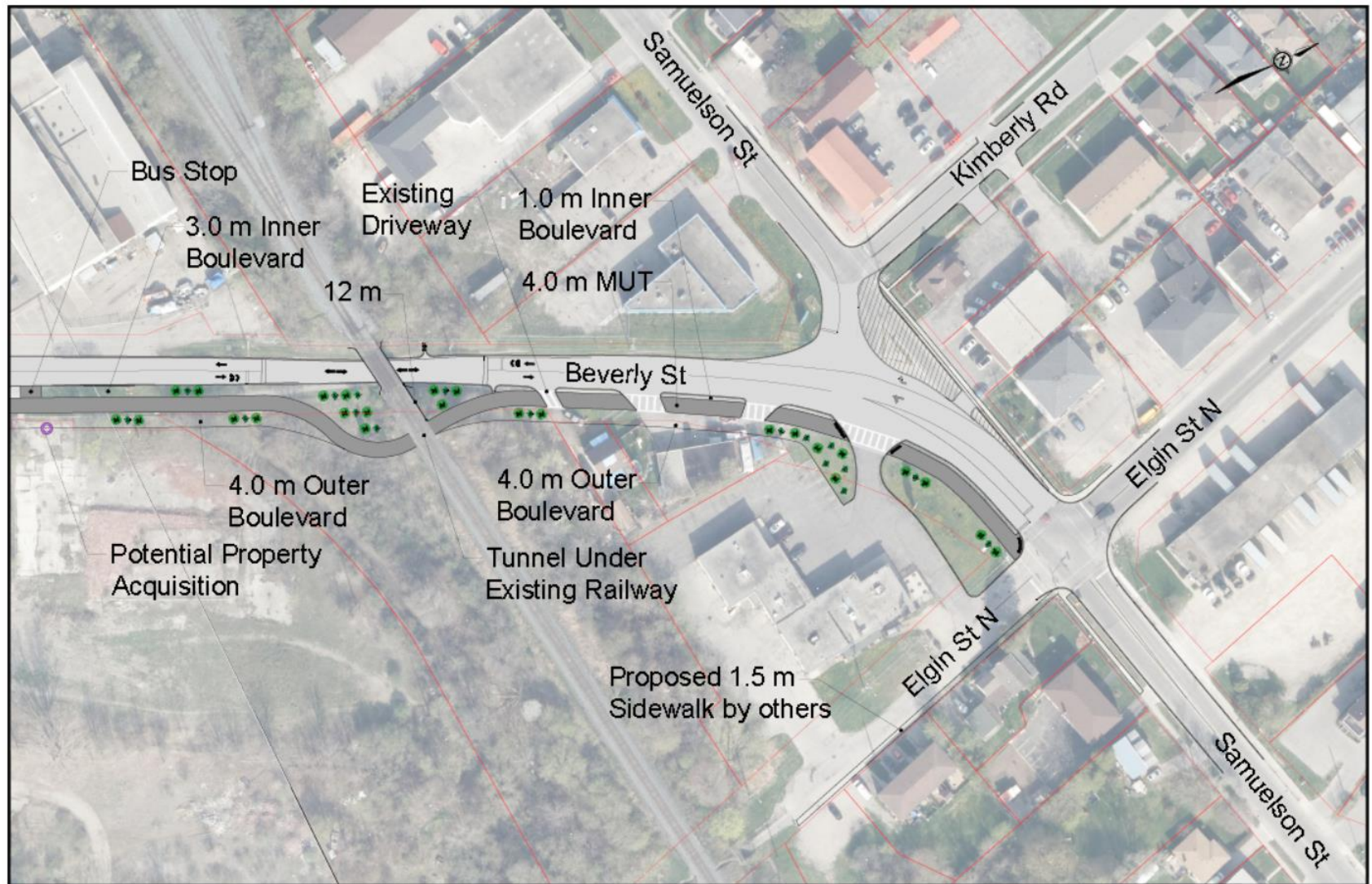
The Recommended Plan from the Environmental Assessment (EA) is illustrated on the following exhibits.



# Recommended Plan from EA



# Recommended Plan from EA



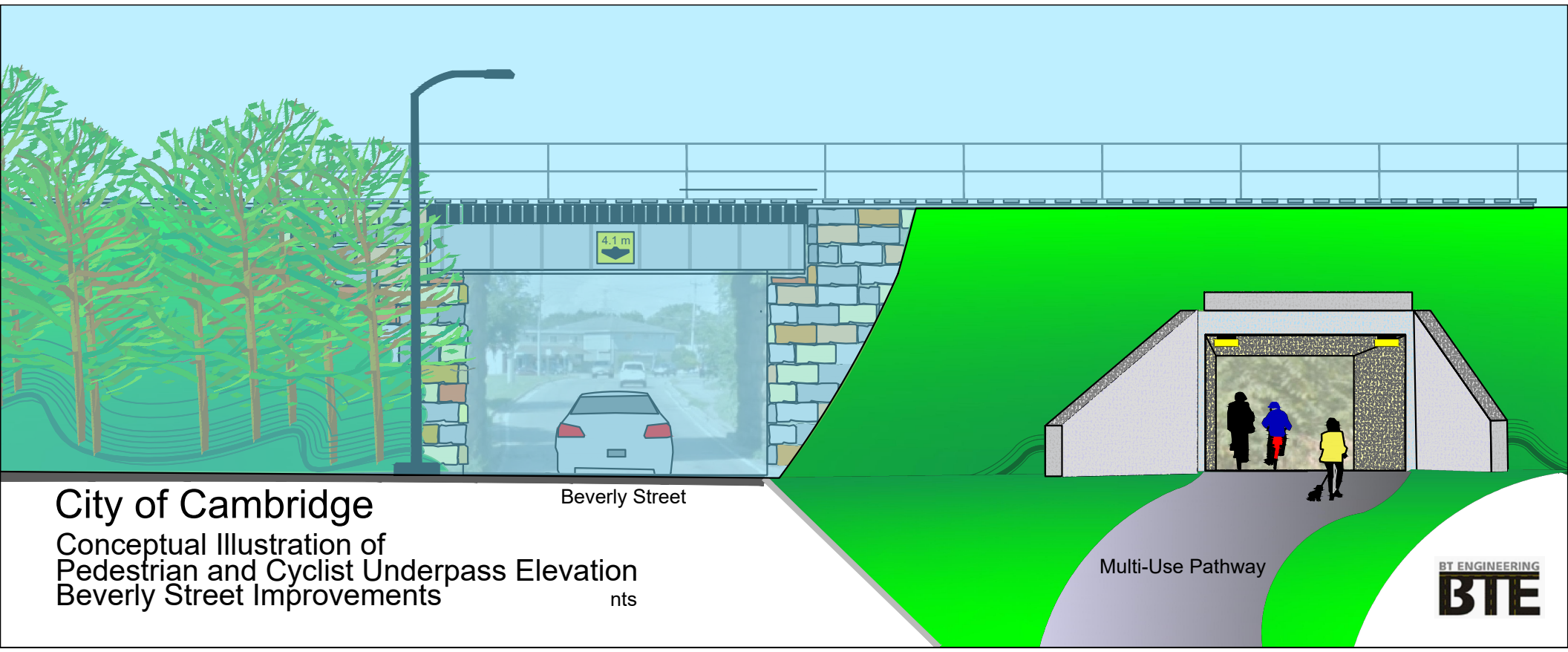
# Detail Design

The preliminary design from the EA phase has been further developed during Detail Design. The design developments include:

- ▶ The project will be phased in two separate Contracts:
  - Contract 1: Pedestrian Underpass
  - Contract 2: Road Reconstruction
- ▶ Design of the new Beverly Street Pedestrian Underpass including accommodating a future connection to the existing Elgin Street underpass.
- ▶ All works will be within the City's and CP Rail's right-of-way.
- ▶ Identification of the Contractor laydown area and access for construction of the pedestrian underpass.
- ▶ Traffic staging plan which will include temporary closures for both the pedestrian underpass construction and reconstruction of Beverly Street. Access to businesses will be maintained during these closures. There will also be temporary road closures as part of the utility relocation work during 2021.
- ▶ Coordination with Region of Waterloo for the Dundas Street road improvements.

The following exhibits present the design of Beverly Street and the pedestrian underpass.





# City of Cambridge

Conceptual Illustration of  
Pedestrian and Cyclist Underpass Elevation  
Beverly Street Improvements

Beverly Street

Multi-Use Pathway

# Effects and Mitigation

The commitments for mitigation of impacts during construction are described in the following table:

Natural Environment	Clearing and grubbing will be completed within the CP Rail lands in close proximity to the pedestrian underpass. In advance of construction, the Contractor will be required to prepare an Environmental Protection Plan. Existing vegetation that is removed will be replaced as per the landscaping/streetscaping plan.
Temporary Disruptions during Construction	There will be short-term road closures during construction. Property and business owners will be notified in advance of any disruptions.
	There will be a short-term disruption to water service during the watermain construction. Property and business owners will be notified in advance of any disruptions.
Cultural Environment	The CP Railway Structure will not be impacted by any phases of construction. The structure will be protected.
Utilities	Existing utilities will be protected or relocated in advance of construction.
Economic Impacts	Short term closures of CP Rail (6 hour windows). Relocation or removal of CP Rail's billboard signage.



# Construction Phasing

This project is subject to budget approval. The proposed phasing plan is summarized below:

## Phase 1: Pedestrian Underpass (Bridge)

- 2021
- Construction of the new pedestrian bridge structure under the CP railway.
- Ongoing utility relocations on Beverly Street (Regional and City relocations).

## Phase 2: Beverly Street and Dundas Street North Roundabout (by Region)

- 2022
- Construction of a roundabout at the intersection of Beverly Street and Dundas Street North (Region of Waterloo Contract T2020-121).

## Phase 3: Beverly Street Reconstruction

- 2023
- Reconstruction of Beverly Street from Dundas Street North to Elgin Street including construction of a multi-use trail (MUT) and municipal services (i.e. watermain, storm and sanitary sewer).



# Next Steps

## Following this meeting we will:

- ▶ Review all comments.
- ▶ Finalize the Detail Design and proceed to construction.

## We want to hear from you!

- ▶ Please provide comments by contacting the City's representative or the consultant below:

**Steve Taylor**  
BT Engineering Inc.  
Consultant Project Manager  
Phone: 519-672-2222  
Fax: 1-519-488-0775  
Email: [stevenj.taylor@bteng.ca](mailto:stevenj.taylor@bteng.ca)

**Prasad Samarakoon**  
City of Cambridge  
Project Manager  
Phone: 519-623-1340 x 4539  
Fax: 519-740-7729  
Email: [samarakoonp@cambridge.ca](mailto:samarakoonp@cambridge.ca)

- ▶ Please provide your comments on or before **November 24, 2020**.

## Thank you for your participation in the study.

- ▶ To receive updates on the project, request that your name/e-mail be added to the contact list.
- ▶ Your input into this project is valuable and appreciated.

All information is collected in accordance with the *Freedom of Information and Privacy Act*.