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**Re: Item PW31.1
Improvements to the Utility Cut Management Process**

This Briefing Note is prepared in response to a distribution to members of City Council of an excerpt from the City of Ottawa Road Activity By-law No. 2003-445. Specifically, the excerpt indicates that the City of Ottawa **permits utility companies to undertake permanent repairs to their utility cuts, without the need to first undertake temporary repairs**, subject to a warranty being provided to the City for any necessary remedial work required to rectify any deficiencies.

The City of Toronto currently has very stringent standards with respect to the way utility cuts are made and repaired. The terms, conditions and requirements are clearly outlined in the City's Municipal Consent Requirement (MCR) document. To reduce cost to the City, one of the imposed conditions is that utilities will carry out temporary repairs of their cuts and the City will be responsible for undertaking the permanent restoration within 18 months, to be reimbursed by the utility company.

If the City were to adopt the City of Ottawa's procedures for the repair of utility cuts in accordance with their by-law, the benefits to the City could be:

- Elimination of the interim condition of having a temporary repair;
- Reduction in the cost to both the utility companies and to the City by eliminating the City's need to administer the contract for the permanent repair; and
- Reduction in the disruption to the public by eliminating the second (permanent) repair following the initial (temporary) repair.

The City, through past pilot projects, has allowed utility companies to undertake permanent repairs to their cuts without the need to first undertake a temporary repair, similar to Ottawa's current practice. **Our experience with this practice indicates that it does not work.** Despite the imposition of strict guidelines and specifications to utility companies, the quality of the work was poor and adherence to the specifications was questionable. The result was that the City was burdened with the cost and responsibility of undertaking additional work to address the deficiencies.

It is a fact that for up to 6 months of the year, it is not feasible to do permanent repairs due to cold temperatures. Furthermore, repairs to utility cuts need at least one freeze-thaw cycle to adequately settle before the permanent repairs are done. Prematurely repairing utility cuts permanently will ultimately result in roads with poor asphalt surfaces and sunken cuts, requiring rehabilitation work by City forces, resulting in further inconvenience to the public due to additional road disruptions. Even if time-of-year restrictions were imposed on these permanent utility cut repairs, as Ottawa has done, it would be necessary for the City to implement extensive

monitoring and inspection and strict enforcement of these restrictions. Regardless, the cut repair would not have experienced the one freeze-thaw cycle required prior to the permanent restoration.

Most importantly, the City of Ottawa, despite the terms and conditions set out for the utility companies within their bylaw, has experienced unacceptable quality of the utility cut repairs. There are other jurisdictions who have also allowed the utilities to do their own permanent repairs, but have come to the same conclusion. These jurisdictions are considering taking back the responsibility of these permanent repairs.

The City has made considerable strides in implementing a comprehensive utility cut management process, with due consideration to best practices. Ultimately, these practices, including maintaining the responsibility of carrying out permanent repairs of utility cuts, will ensure that the impact of the utility cuts on the City's infrastructure is minimized.

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