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**City Council**

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**Notice of Motion**

MM8.6	ACTION			Ward: 19
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**Contract Award – Contract No. 10FS-34S, Tender Call 353-2010 for the Construction of Fort York Pedestrian and Cycle Bridge – Removal of Matter from Committee - by Councillor Mike Layton, seconded by Councillor Josh Colle**

*\* Notice of this Motion has been given.*

*\* The Public Works and Infrastructure Committee currently has jurisdiction for this subject matter. A two thirds vote is required to remove Item PW3.13 from the Committee's jurisdiction.*

**Recommendations**

Councillor Mike Layton, seconded by Councillor Josh Colle, recommends that:

1. City Council grant authority to award Contract 10FS-34S, Tender Call 353-2010 to BOT Engineering & Construction Ltd., in the amount of \$22,419,395.00 net of all applicable taxes and charges, for the construction of the Fort York Pedestrian and Cycle Bridge over GO Transit Tracks from Wellington Street West to Fort York and associated approach trails, having submitted the lowest bid meeting specifications in conformance with the Tender requirements.
2. City Council direct the Executive Director, Technical Services and the Director, Purchasing and Material Management, to work with the designer and builder to prefer materials for construction that would lower the cost without compromising the terms of the aforementioned contract.
3. City Council amend the 2011 Capital Budget for Waterfront Revitalization Initiative by increasing the costs of the Fort York Pedestrian and Cycle Bridge capital project budget by \$4,394,581.35, for a total value of \$22,813,976.35 million, with the increased funding to be provided from the Section 37 community benefits related to 20 Bathurst Street in the amount of \$100,000.00 (XR 3026-4500060) and 751-771 King Street West in the amount of \$450,000.00 (XR3026-3700356) and by reallocating funding in the amount of \$3,844,581.35 from the 2011 Capital Budget for Transportation Services' Bridge Rehabilitation Program and that the 2011 Capital Budget for Transportation Services be amended accordingly.

4. City Council consider directing, as priority, any future Section 37 monies which are generated from development in the local area, including 30 Ordnance Street, toward associated Transportation Services capital funding of the Fort York Pedestrian and Cycle Bridge.
5. City Council direct the Acting Deputy City Manager for Citizen Services "B" to provide semi annual progress reports to the Public Works and Infrastructure Committee detailing project construction, any projected cost overruns or underages and the collection of requisite Section 37 benefits.

### **Summary**

The Public Works and Infrastructure Committee at its meeting on April 26, 2011 considered Item PW3.13, headed, "Contract Award - Contract No. 10FS-34S, Tender Call 353-2010 for the Construction of Fort York Pedestrian and Cycle Bridge (Ward 19)".

The Public Works and Infrastructure Committee referred the Item to the Acting General Manager, Transportation Services, the Executive Director, Technical Services, and the Director, Purchasing and Materials Management, in consultation with the Director, Real Estate Services, to recommend to the Public Works and Infrastructure Committee an alternative lower cost Pedestrian and Cycle Bridge to Fort York.

Subsequent to the April 26, 2011 meeting, concern has been expressed that the delay would jeopardize the viability of the project in its entirety. A redesigned bridge will require a new environmental assessment, new approvals, new tenders for the architectural and construction work, and is likely to delay the project until 2015 if not further.

Furthermore, even if a redesign decreased the material cost of the bridge, the overall construction costs and timelines are likely to be significantly greater because construction will be impeded by construction of and traffic on the Metrolinx Air Rail Link, for which building is slated to begin in the summer of 2012.

(Submitted to City Council on May 17 and 18, 2011 as MM8.6)