



**STAFF REPORT
ACTION REQUIRED**

**Authorization to Reimburse Copernicus Lodge from
Contract No. 10EY-08RD, Roncesvalles Avenue**

Date:	August 22, 2011
To:	Public Works and Infrastructure Committee
From:	Executive Director, Technical Services
Wards:	Ward 14 - Parkdale-High Park
Reference Number:	P:\2011\Cluster B\TEC\PW11034 (AFS # 14313)

SUMMARY

The purpose of this report is to request authority to enter into an agreement with the owners of Copernicus Lodge to reimburse them for completing a portion of the driveway reconstruction/realignment at No. 66 Roncesvalles Avenue. These works were originally included in the scope of work for Contract No. 10EY-08RD, TTC Track Reconstruction, Road Reconfiguration and Reconstruction / Resurfacing and Streetscaping on Roncesvalles Avenue from Queen Street West to Dundas Street West, and are fully funded in the 2010 Capital Budget for Transportation Services. The unspent funds from the 2010 Capital Budget were carried forward into the 2011 Capital Budget.

After construction on Roncesvalles Avenue had commenced, Copernicus Lodge representatives requested City staff to provide reimbursement for the cost of the driveway reconstruction/realignment, instead of undertaking the actual construction. This request was to allow for coordination with other works Copernicus Lodge is undertaking on their property. Technical Services staff supports their request.

The tendered price in the contract to undertake both the public and private portions of the driveway reconstruction/realignment is \$27,140.00 net of all taxes. Costs already incurred for temporary and permanent works on the driveway total \$7,390.00 net of all taxes. Authorization is being requested to reimburse Copernicus Lodge for the amount of \$19,750.00.

RECOMMENDATIONS

The Executive Director of Technical Services recommends that City Council:

1. Authorize the Executive Director of Technical Services to reimburse the owners of Copernicus Lodge for undertaking the reconstruction/relocation of a portion of their driveway at No. 66 Roncesvalles Avenue, as shown on the attached Figure 1, which is required due to the reconstruction of Roncesvalles Avenue, in the amount of \$19,750.00.
2. Authorize the Executive Director of Technical Services to negotiate and execute an agreement, in a form approved by the City Solicitor, for the recommended reimbursement transaction.

Financial Impact

There are no additional financial impacts beyond current commitments resulting from the adoption of this report.

Funds in the amount \$19,750.00 are available in the 2011 Transportation Services Capital Budget in account CTP311 Major Road Resurfacing.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

ISSUE BACKGROUND

The detailed design phase for Contract No. 10EY-08RD, TTC Track Reconstruction, Road Reconfiguration and Reconstruction / Resurfacing and Streetscaping on Roncesvalles Avenue from Queen Street West to Dundas Street West began in November 2009. Part of the design included the inclusion of transit platforms, typically 30 metres in length, to allow for direct boarding from the sidewalk to TTC streetcars.

Copernicus Lodge is a seniors' residence located at No. 66 Roncesvalles Avenue, at the southwest corner of Roncesvalles Avenue and Marion Street. Prior to the current road reconstruction project, the front entryway to Copernicus Lodge was accessed via a one-way circular driveway, with both its entry point (north leg) and exit point (south leg) connected to Roncesvalles Avenue. The driveway was primarily used by emergency services, especially paramedics, to gain access to Copernicus Lodge.

The detailed design for Roncesvalles Avenue included a transit platform to be placed between the two existing legs of the circular driveway. The design required that the transit platform be reduced from the typical 30 metre length, and that the entrance and exit of the circular driveway be reconfigured to maximize the distance between both points.

In December 2009, City staff met with representatives from Copernicus Lodge to discuss the proposed transit platform and the resulting impacts to Copernicus Lodge. At the meeting, it was determined that both the City and Copernicus Lodge would benefit from the realignment of the north leg of the driveway to connect to Marion Street instead of to Roncesvalles Avenue. This would permit the City to construct a full-length transit platform and would ensure that Copernicus Lodge's driveway entry would not be blocked by vehicles waiting behind streetcars stopped at the transit platform.

The detailed design was revised accordingly to accommodate the realigned driveway. The scope of work included the removal of the existing north leg of the driveway on Roncesvalles Avenue, and the construction of a new section of driveway on Marion Street. This new section would match into the remaining existing driveway on Copernicus Lodge property. The tender price received to undertake this work, as part of the winning bid for Contract No. 10EY-08RD, was \$27,140.00 net of all taxes.

COMMENTS

In July 2010, after construction activities had commenced on Contract No. 10EY-08RD, City staff met again with representatives from Copernicus Lodge to discuss details, including the proposed timing, related to the construction of the realigned driveway. At this meeting, Copernicus Lodge indicated that they were planning to retrofit the entryway to Copernicus Lodge, including additional modifications to the circular driveway. Copernicus Lodge had retained an architect to undertake the design and anticipated that the design would be completed by August 2010.

Copernicus Lodge requested that construction of the realigned driveway be postponed until such time that the retrofit design was complete, in order for the driveway on Marion Street to be constructed to match the anticipated future driveway, instead of the existing driveway, thereby avoiding potential throw-away work. However, in order to facilitate construction staging on the project, it was determined that the realignment of the driveway to connect to Marion Street had to be completed in the early stages of the project.

City staff agreed to construct a temporary driveway in approximately the same location as the proposed realigned driveway, in order to maintain access to Copernicus Lodge and proceed with construction on Roncesvalles Avenue in accordance with the planned construction staging. The City contractor would return to construct the new driveway to match, as much as possible, the proposed driveway based on Copernicus Lodge's design.

In March 2011, staff met with Copernicus Lodge again to discuss the status of the Lodge's design to retrofit the front entryway. Copernicus Lodge indicated that their design was close to completion, and that they were preparing to tender the contract shortly. At the same meeting, the Lodge inquired about the possibility of having their private contractor construct the realigned driveway along with the remainder of the construction to the entryway. Copernicus Lodge's preference for having one contractor

undertake all the work was to ensure a more uniform end product and to avoid potential conflicts with multiple contractors working at the same time.

In a letter dated June 30, 2011 to Copernicus Lodge, staff advised that their proposed transaction would require the approval of City Council. Staff further advised that they would submit a report to City Council to seek authorization to reimburse Copernicus Lodge, subject to the following conditions:

- The reimbursement would be contingent on Copernicus Lodge first completing all works for which the City funds were originally intended;
- The amount of the reimbursement to Copernicus Lodge would be equal to the contract value of the work less the City's actual incurred costs; and
- The reimbursement would be contingent on approval from City Council.

In a letter dated July 8, 2011, Copernicus Lodge advised that they were in agreement with the above conditions, and requested City staff to make the appropriate request for authorization to City Council. In recent communications with Copernicus Lodge, they have indicated that construction on the front entryway is anticipated to begin in August 2011.

The total amount in the City contract allocated for the construction of the realigned driveway was \$27,140,000 net of all taxes. Approximately \$4,000.00 net of all taxes has been expended for the construction of the temporary driveway, and approximately \$3,390.00 net of all taxes has been expended in constructing the depressed sidewalk and curb across the proposed realigned driveway on Marion Street. Therefore, the total amount proposed to be reimbursed to Copernicus Lodge is \$19,750.00.

CONTACT

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SIGNATURE

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Executive Director, Technical Services

ATTACHMENTS

Figure 1 – Realigned Driveway at 66 Roncesvalles Avenue (Copernicus Lodge)