

Red Light Camera Systems - Status Update

Date: August 30, 2021

To: Infrastructure and Environment Committee

From: General Manager, Transportation Services, and the Chief Procurement Officer

Wards: All

SUMMARY

This report seeks City Council's authority to increase the option term and maintenance term value of the agreement dated May 30, 2016 between the City of Toronto and Traffipax LLC in relation to Request for Proposal Number 9148-15-5000 to retain in-place 70 Red Light Cameras.

The original agreement awarded in 2015 was for the operation of 79 Red Light Cameras (RLCs) for a period of five years (January 1, 2017 to December 31, 2021), with the option at the sole discretion of the General Manager, Transportation Services for an additional five year term (January 1, 2022 to December 31, 2026). In 2017, City Council authorized an amendment of the agreement to operate an additional 70 RLCs (for a total of 149 RLCs) to the end of the original contract term of December 31, 2021.

This amendment is required to ensure the continued operation of the additional 70 RLCs during the option term and maintenance term that will reduce occurrences of killed or seriously injured collisions resulting from red-light running. This responds to City Council's previous approval of the Vision Zero 2.0 Road Safety Plan which sought to accelerate the implementation of road safety measures across the City of Toronto.

This report also seeks City Council authority to enter into operational agreements with the necessary license plate registrars in the Province of Québec in order to process red light camera tickets against vehicles bearing Province of Québec license plates.

RECOMMENDATIONS

The General Manager, Transportation Services and the Chief Procurement Officer recommend that:

1. City Council authorize the General Manager, Transportation Services, to negotiate, enter into and execute any amendments to the agreement(s) between the City of Toronto and Traffipax LLC to be able to operate the additional 70 RLCs that were added to the agreement in 2017 by:

(a) increasing the value of the agreement by \$6,494,430 net of all taxes and charges (\$6,608,732 net of HST recoveries) for the five-year option term (January 1, 2022 to December 31, 2026); and

(b) increasing the value of the agreement for an additional amount of \$322,333 net of all taxes and charges (\$328,006 net of HST recoveries) for the maintenance of red light camera image processing services for 25 months following the end of the five-year option term from January 1, 2027 to January 31, 2029

for a total potential increased cost of \$6,816,763 net of all taxes and charges (\$6,936,738 net of HST recoveries), on terms and conditions satisfactory to the General Manager, Transportation Services, and in a form satisfactory to the City Solicitor.

2. City Council authorize the General Manager, Transportation Services to negotiate, enter into and execute new operational agreement(s) with The Société de l'assurance automobile du Québec, for the access and use of license plate registration information on terms and conditions generally as set out in the report (August 30, 2021) from the General Manager, Transportation Services, and on such other terms and conditions satisfactory to the General Manager, Transportation Services, and in a form satisfactory to the City Solicitor.

3. City Council authorize the General Manager, Transportation Services, to negotiate, enter into and execute new operational agreement(s) with the Canadian Council of Motor Transport Administrators for the access and use of license plate registration information on terms and conditions generally as set out in the report (August 30, 2021) from the General Manager, Transportation Services, and on such other terms and conditions satisfactory to the General Manager, Transportation Services, and in a form satisfactory to the City Solicitor.

FINANCIAL IMPACT

Blanket Contract Amendments

The amendment to Blanket Contract 47020019 (RFP No. 9148-15-5000) for an additional amount of \$6,816,763 net of all taxes and charges (\$6,936,738 net of HST recoveries) for the option and maintenance term, increases the current value of the contract from \$27,503,504, net of all taxes and charges (\$27,987,566, net of HST recoveries) to \$34,320,267 net of all taxes and charges (\$34,924,304 net of HST recoveries).

Operating funding of \$1,321,746 (net of HST recoveries) required to continue operation of the 70 Red Light Cameras will be included for consideration as part of the 2022 Operating Budget submission for Transportation Services. Additional funding as detailed in Table 1 will be included for consideration as part of the 2023-2029 Operating Submissions for Transportation Services.

Table 1 – Transportation Services Forecasted Operating Budget for Amendment (Net of HST Recoveries)

Cost Centre / Cost Element	Year	Retention in-place of 70 RLCs	Maintenance for image processing	Total
TS8040 / 4481	2022	1,321,746		1,321,746
	2023	1,321,746		1,321,746
	2024	1,321,746		1,321,746
	2025	1,321,746		1,321,746
	2026	1,321,746		1,321,746
	2027		157,443	157,443
	2028		157,443	157,443
	2029		13,120	13,120
Total		6,608,732	328,006	6,936,739

Access and Use of License Plate Information

Retrieval of license plate information to process Red Light Camera System Offences against vehicles registered with the Province of Québec is estimated to cost \$15,000 per year (net of HST recoveries). Funding is available in the 2021 Approved Operating Budget for Transportation Services.

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

DECISION HISTORY

As its meeting of May 24, 25, and 26, 2017, City Council authorized the continued operation of the 70 existing Phase 2 Red Light Cameras, previously scheduled for decommissioning. The report authorized the General Manager, Transportation Services, to negotiate and execute amendments to the Phase 2 contract and Phase 3 contract with Traffipax LLC such that the City could continue to operate and maintain an additional 70 existing phase 2 red light camera sites for the period from June 1, 2017 to December 31, 2021 and authorized the increase in value of the current contract by no more than \$9,498,184 net of all taxes. The Council decision can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PW21.7>

At its meeting of July 12, 13, 14 and 15, 2016, City Council endorsed in principle the proposed Road Safety Plan (2017-2021) and endorsed in principle the countermeasures and enhanced Road Safety Plan identified within the supplementary report (July 11, 2016) from the General Manager, Transportation Services. The report outlines the proposed safety countermeasures that will be implemented over a five (5) year period with the ultimate goal of eliminating traffic-related fatalities and serious injuries. The Council decision can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PW14.1>

At its meeting of September 30, October 1 and 2, 2015, City Council adopted the recommendations of Public Works and Infrastructure Committee Report No. PW7.8 "Red Light Cameras - Status Update and Phase 3 Contract Award (Request for Proposal No. 9148-15-5000 - 2017 to 2021)". This report discusses the award of the contract for the supply, installation, operation, maintenance and future removal of red light camera systems for the five (5) year period from January 1, 2017 to December 31, 2021 to Traffipax LLC. The Council decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PW7.8>

COMMENTS

Program Background

The Red Light Camera (RLC) program is an important traffic safety measure in support of the Vision Zero Road Safety Plan (RSP). The Program has been in operation for over 20 years and has been effective in addressing Killed and Serious Injuries (KSIs). The amendment before City Council requests an increase in contract value of the option and maintenance term to Agreement RFP No.:9148-15-5000 (Blanket Contract No. 47020019) in order to retain in-place 70 RLCs.

In May 2017, City council, as part of the Vision Zero RSP, authorized the continued operation of 70 RLCs that were scheduled for decommissioning. At the time, City Council only amended the value of the initial term of the contract and not the option term.

In order for the General Manager, Transportation Services to exercise the option term for the 70 RLCs, an amendment is required to the value of the contract. If City Council were not to approve this amendment, 70 RLCs would be decommissioned.

Consideration was given to the possibility of tendering a new RFP for this work, however, this is not recommended as a viable option for a number of reasons, including the following:

Continuous Service with the Vision Zero Road Safety Plan

City Council on a number of occasions had approved the principals of the Vision Zero RSP and the importance of the RLCs in eliminating KSIs. Based on a before and after study (2001 – 2007 compared to 2008 – 2014) intersections in Toronto equipped with a Red Light Camera have shown a reduction in collision related fatality rates by 40%, serious injuries by 23% and overall collisions by 60%.

Procurement Timelines

The City of Toronto is currently 1 of 14 municipalities authorized by the Province of Ontario to operate an RLC program. In addition to managing its own red light cameras, the City currently operates the Joint Processing Centre (JPC) on the behalf of all partnering municipalities. The JPC is responsible for:

- oversight of the RLC contract whereby a vendor is responsible for installing and maintaining RLC sites;
- preparation of charging documents and notices; and
- preparation of evidence to be used in municipal prosecutions.

The JPC is additionally the lead for the co-operative RLC procurement for all partnering municipalities. If a new RFP were to be tendered, the anticipated timeframe required between RFP tendering, evaluation and redeployment of the RLC sites would take a minimum of 1 year.

Prior to the end of the option term in December 2026 in the current agreement, Transportation Services will proceed through the competitive procurement process.

Provincial Regulations

Ontario Regulation 277/99, Red Light Camera System Evidence, to the Highway Traffic Act prescribes that only the TraffiStar SR 520-ONT or the TraffiStar SR 590-ONT RLC systems may be used by municipalities. Both prescribed RLC systems are only supplied by Traffipax LLC.

If the City were to procure another vendor, proof-of-performance testing would be required prior to the City requesting regulatory amendments to the Province of Ontario. While feasible, it is anticipated that regulatory changes can take anywhere from 6 months to 1 year; which would be in addition to City procurement timelines.

Value-for-Money in Cost of Services

During the option term, the City will benefit from significant savings, as the daily rate paid for RLC sites will be reduced by more than 25 percent compared to the initial term. These savings would not be realized if a new RLC vendor were selected as the bid price from another vendor would more likely be higher. The JPC would also face additional costs as a new central software and hardware processing system would require a significant amount of time and costs to implement.

Operational Agreement(s) with the SAAQ and CCMTA

The City of Toronto has an agreement with Her Majesty the Queen in Right of Ontario, as represented by the Minister of Transportation (the "MTO"), for the access and use of licence plate registration information for vehicle owners with licence plates registered in Ontario. The City currently does not have an agreement for access and use of licence plate registration information for vehicle owners with licence plates registered in the Province of Québec.

Section 4(5.1) of *Ontario Regulation 277/99, Red Light Camera System Evidence*, provides that, where the provincial offences officer who issued the certificate of offence believes that the person charged resides, or in the case of a corporation, has its principal place of business, outside Ontario, the address outside Ontario shall be used.

On average, 500 motor vehicles bearing Québec plates are captured by the RLCs on an annual basis. In order to lay RLC charges against vehicle owners with license plates

registered in Québec, operational agreements are required with The Société de l'assurance automobile du Québec (SAAQ), and the Canadian Council of Motor Transport Administrators (CCMTA) to obtain access to license plate registration information.

The terms of the Operational Agreement(s) are generally the same as those contained in the existing agreement with MTO. They outline a licensed information and transmission protocol and specify the responsibilities and requirements of each party. In exchange for licence plate ownership information, the City is required, among other things, to:

- use licence plate registration information through the joint municipal processing centre for only the purposes authorized in the agreement;
- maintain staff and system security provisions to protect confidential information;
- comply with privacy laws;
- ensure employees who handle confidential information undergo training;
- make fee payments to the SAAQ and CCMTA with respect to the RLC system to, among other things, reimburse the SAAQ and CCMTA for the City's proportionate share of costs for the system by means of a cost recovery fee

Other terms of the Operational Agreement(s) include:

- SAAQ and CCMTA has the right to amend which licence plate registration information it provides to the City and the right to stop providing licence plate registration information to the City at any time;
- SAAQ and CCMTA has the right to amend the City's authorized uses for the licence plate registration information at any time;
- the City will be in default if the City, among other things, is in default under any other agreement with SAAQ and CCMTA relating to access or use of any confidential information;
- in the event of default by the City, SAAQ and CCMTA can, without notice to the City, terminate the agreement; suspend, cancel, or revoke the City's accounts or privileges under the agreement, or pursue other legal remedies;
- either Party may terminate the agreement with appropriate written notice given;
- the City is responsible for any breaches of the non-disclosure agreement or a failure to comply with audit requirements;
- the City must provide the SAAQ and CCMTA with a very broad indemnity and a limitation of liability;
- SAAQ and CCMTA has the right to adjust its fees in order to cover all costs to the RLC Systems;
- SAAQ and CCMTA does not provide any warranty with respect to the licensed information provided;
- SAAQ and CCMTA denies any liability of any kind to the City; and
- SAAQ and CCMTA has the right to audit the City for compliance with the agreement from time to time and charge the cost of such audit to the City.

Conclusion

Staff recommend this amendment to the option and maintenance value be approved given City Council's previous direction of retaining the RLCs, the continuation of a Vision Zero RSP program, the effectiveness of the RLC program, and value-for-money in its operations.

The additional authorizations to process RLC charges against motor vehicles bearing Province of Québec license plates will ensure the RLC program continues to meet its objectives of the Vision Zero 2.0 RSP.

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SIGNATURE

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ATTACHMENTS

Attachment 1 - Existing Red Light Camera Locations in Operation

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Adelaide St. and Parliament St.	Lake Shore Blvd. W. and Strachan Ave.
Albion Rd. and Kipling Ave.	Lake Shore Blvd. W. and Thirty Seventh St.
Albion Rd. and Silverstone Dr.	Lake Shore Blvd. W. and Windermere Ave.
Avenue Rd. and Lawrence Ave. W.	Lake Shore Blvd. W. and York St.
Bathurst St. and Davenport Rd.	Lawrence Ave. W. and Bathurst St.
Bathurst St. and Nina St.	Lawrence Ave. E. and Bellamy Rd.
Bathurst St. and Sheppard Ave. W.	Lawrence Ave. E. and Don Mills Rd.
Bayview Ave. and Cummer Ave.	Lawrence Ave. E. and Greenbrae Crct.
Bayview Ave. and Truman Rd	Lawrence Ave. E. and Kennedy Rd.
Birchmount Rd. and Huntingwood Dr.	Lawrence Ave. E. and Markham Rd.
Birchmount Rd. and McNicoll Ave.	Lawrence Ave. W. and Marlee Ave.
Bloor St. W. and Dundas St. W.	Lawrence Ave. E. and Morningside Ave.
Bloor St. W. and Islington Ave.	Leslie St. and Lawrence Ave. E.
Bloor St. W. and Keele St. / Parkside Dr.	Leslie St. and York Mills Rd.
Bloor St. W. and Ossington Ave.	Lower Jarvis St. and The Esplanade
Bloor St. W. and The East Mall	Markham Rd. and Progress Ave.
Bloor St. W. and The West Mall	Markham Rd. and Sheppard Ave. E.
Burnhamthorpe Rd. and The East Mall	McCowan Rd. and McNicoll Ave.
College St. and Bathurst St.	Midland Ave. and McNicoll Ave.
Danforth Ave. and Birchmount Rd.	Midland Ave. and Progress Ave.
Danforth Ave. and Greenwood Ave.	Morningside Ave. and Milner Ave.
Danforth Ave. and Birchmount Rd.	Neilson Rd. and McLevin Ave.
Danforth Rd. and Brimley Rd.	Neilson Rd. and Sheppard Ave. E.
Dixon Rd. and Carlingview Dr.	O Connor Dr. and Bermondsey Rd.
Dixon Rd. and Islington Ave.	Overlea Blvd. and Thorncliffe Park Dr.
Dixon Rd. and Kipling Ave.	Pharmacy Ave. and McNicoll Ave.
Dixon Rd. and Martin Grove Rd.	Queen St. and Lansdowne Ave. / Jameson Ave.
Don Mills Rd. and Sheppard Ave. E.	Queen St. and Woodbine Ave.
Don Mills Rd. and Van Horne Ave.	Rexdale Blvd. and Kipling Ave.
Dufferin St. and Dupont St.	Rexdale Blvd. and Martin Grove Rd.
Dufferin St. and Finch Ave. W.	Richmond St. and Parliament St.
Dufferin St. and Glencairn Ave.	Sheppard Ave. E. and Bayview Ave.
Dundas St. and River St.	Sheppard Ave. W. and Keele St.
Dupont St. and Lansdowne Ave.	Sheppard Ave. E. and Malvern St. (RLC #1)
Eastern Ave. and Coxwell Ave.	Sheppard Ave. E. and Malvern St. (RLC #2)
Eglinton Ave. E. and Danforth Rd.	Sheppard Ave. E. and McCowan Rd.
Eglinton Ave. W. and Martin Grove Rd.	Sheppard Ave. E. and Morningside Ave.
Eglinton Ave. W. and Scarlett Rd.	Sheppard Ave. W. and Wilson Heights Blvd.
Eglinton Ave. W. and Spadina Rd.	Simcoe St. and Wellington St.
Ellesmere Rd. and Bellamy Rd.	Spadina Ave. and Bremner Blvd. / Fort York Blvd.

Ellesmere Rd. and Kennedy Rd.	Spadina Ave. and King St. W.
Ellesmere Rd. and Markham Rd.	St. Clair Ave. E. and Brimley Rd.
Ellesmere Rd. and Military Trl.	St. Clair Ave. W. and Old Stock Yards Rd.
Finch Ave. E. and Birchmount Rd.	St. Clair Ave. W. and Runnymede Rd.
Finch Ave. E. and Brimley Rd.	St. Clair Ave. W. and Spadina Rd.
Finch Ave. E. and HWY 404 N Ramp	Steeles Ave. E. and Birchmount Rd.
Finch Ave. E. and Leslie St.	Steeles Ave. E. and Brimley Rd.
Finch Ave. E. and Middlefield Rd.	Steeles Ave. W. and Carpenter Rd.
Finch Ave. E. and Willowdale Ave.	Steeles Ave. W. and Dufferin St.
Islington Ave. and Albion Rd.	Steeles Ave. W. and Highway 27
Islington Ave. and Evans Ave.	Steeles Ave. W. and Hilda Ave.
Islington Ave. and The Queensway	Steeles Ave. W. and Islington Ave.
Islington Ave. and The Westway	Steeles Ave. W. and Keele St.
Jane St. and Bala Ave. / Emmett Ave.	Steeles Ave. W. and Signet Dr.
Jane St. and Clair Rd. / Spenvally Dr.	Steeles Ave. W. and Weston Rd.
Jane St. and Falstaff Ave.	The Queensway and Kipling Ave.
Jane St. and Stong Cr. / York Gate Blvd.	The Queensway and North Queen St.
Jarvis St. and Isabella St.	The Queensway and Royal York Rd.
Jarvis St. and King St. E.	The Queensway and The East Mall
Keele St. and Lawrence Ave. W. (RLC #1)	The Queensway and The West Mall
Keele St. and Lawrence Ave. W. (RLC #2)	University Ave. and Adelaide St. W.
Keele St. and Rogers Rd.	University Ave. and Queen St. W.
Keele St. and Wilson Ave. (RLC #1)	University Ave. and Richmond St. W.
Keele St. and Wilson Ave. (RLC #2)	University Ave. and Wellington St. E.
Kennedy Rd. and HWY 401 C E Kennedy Off Ramp / William Kitchen Rd.	Warden Ave. and Arkona Dr. / Cloverleaf Gt.
Kennedy Rd. and McNicoll Ave.	Warden Ave. and Ashtonbee Rd.
Kennedy Rd. and Sheppard Ave. E.	Warden Ave. and Comstock Rd. (RLC #1)
King St. E. and Parliament St.	Warden Ave. and Comstock Rd. (RLC #2)
Kingston Rd. and Port Union Rd. / Sheppard Ave. E.	Warden Ave. and McNicoll Ave. (RLC #1)
Kipling Ave. and Horner Ave.	Warden Ave. and McNicoll Ave. (RLC #2)
Lake Shore Blvd. E. and Carlaw Ave.	Weston Rd. and Lawrence Ave.
Lake Shore Blvd. W. and Jameson Ave.	Wilson Ave. and Jane St.
Lake Shore Blvd. E. and Leslie St.	Wilson Ave. and Transit Rd. / Billy Bishop Way
Lake Shore Blvd. W. and Park Lawn Rd. / Marine Parade Dr.	Yonge St. and Lawrence Ave. E.
Lake Shore Blvd. W. and Spadina Ave. / Lower Spadina Ave.	Yonge St. and Steeles Ave. E.