



Staff Report for City Manager Delegated Authority

Date: August 18, 2021

Report Number: SRPI.21.092

Department: PI
Division: Infrastructure Planning and Development Engineering

Subject: Request to Reinstate Budget to Complete Developer Deficiencies at Wellsprings Pond (8-5) Stormwater Management Facility

Purpose:

To seek approval through the City Manager's delegated authority to reinstate a budget to complete developer deficiencies at Wellsprings Pond (8-5) stormwater management facility.

Recommendation:

- a) That the City Manager approve, under the authorization provided in the Recess Delegation By-law 86-20, the re-instatement of a project budget in the amount of \$235,000 for the completion of Wellsprings Pond (8-5) stormwater management facility, and that this project be funded from the Developer Contribution account as described in this report

Contact Person:

Jeremy Wychreschuk, P.Eng., Manager of Water Resources, Extension 5495
Dan Terziewski, P.Eng., Director of Infrastructure Planning and Development Engineering, Extension 6358

Report Approval:

Submitted by:

Signed version on file in the Office of the Clerk

Paolo Masaro, P.Eng.
Executive Director Infrastructure and Engineering Services

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Approved by:

Signed version on file in the Office of the Clerk

Darlene Joslin
Acting City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner and City Manager. Details of the reports approval are attached.

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Background:

In 2017, Development Engineering staff identified three subdivision projects where the owners failed to complete the subdivision servicing within a reasonable timeframe. In accordance with provisions in the applicable subdivision or servicing agreements, the developers were notified of their failure to complete the municipal servicing and the City's intention to draw on the remaining securities to complete the servicing. A capital account was created from the remaining securities to complete the works.

One of the subdivision projects in question was Silverland Homes 1519754 Ontario Inc, Wellspring Avenue, Bond Crescent, which includes the Wellsprings Pond (8-5) stormwater management facility (SWMF) among other deficient infrastructure. In 2019, the subdivision deficiencies were completed by the City's Infrastructure Delivery Division (ID), except for the Wellsprings Pond (8-5) works due to the requirement to secure Provincial permits prior to work starting. The former Corporate Asset Management and Environmental Services Division took on the responsibility to secure the required permits and complete the remaining pond works separately.

The outstanding SWMF works include sediment removal, outlet repairs and other minor deficiencies. These works are required to ensure the SWMF complies with its Environmental Compliance Approval (ECA) issued by the Ministry of the Environment, Conservation and Parks (MECP). The project lead for the works will be the Water Resources section of the Infrastructure Planning and Development Engineering Division (IPDE).

In 2020, after the remaining funds for the storm pond works were confirmed to be sufficient and available, the planning and procurement of a project to complete the Pond (8-5) stormwater management facility deficiencies was commenced. Tender bid document preparation was completed in early 2021, with construction planned for fall 2021. Staff have identified a successful contractor for the works through the City's procurement process and are ready to award the contract.

However, before providing the award, staff were advised by the Finance Department that the capital account for this work was closed prematurely during the 2020 Capital Close process and the funds were directed back to the City's developer contribution account.

At this time, staff is seeking approval to reinstate this project budget/account in order to complete the works for Wellsprings Pond (8-5) stormwater management facility, funded from the developer securities, as originally intended.

Financial/Staffing/Other Implications:

The estimated cost to complete the SWMF works for the Wellsprings Pond (8-5) is \$235,000. There are sufficient funds in the Developer Contribution account (Account # 454400) to fund the project.

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As this project is fully funded from developer securities, there are no direct financial implications to the City.

However, there are potential implications to the City if these works are not completed or if this contract is not awarded at this time. If the works remain unfinished or are delayed, the City will continue to be out of compliance with the Provincial approvals for this facility. There are also potential litigation and contract award liability risks due to current procurement stage (ready to award).

Relationship to the Strategic Plan:

This initiative supports Strategic Plan Goal 4, Wise Management of Resources in Richmond Hill. Wise management means making decisions about how we consider and use our resources in Richmond Hill for this generation and those to follow. Completing the SWMF works will bring this asset back into Provincial compliance and will avoid higher costs for the works in the future.

Conclusion:

There is outstanding stormwater management facility works that needs to be completed at the Wellsprings Pond (8-5) stormwater management facility due to the developer failing to fulfill their obligations in completing the Silverland Homes subdivision. The works are necessary to bring the facility into compliance with Provincial approvals.

The funds to complete the works will be from developer securities, and there are adequate funds available. As such, there are no direct financial implications to the City.

Therefore, staff recommends that the City Manager approve the re-opening of the project budget/account through their delegated authority per the Recess Delegation By-law 86-20, and the funding for the project continue to come from the developer contribution account, in order to allow for the award of this contract and the completion of this work in the Fall 2021.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- No attachments