



**City of Kingston  
Report to Council  
Report Number 19-306**

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<b>To:</b>	<b>Mayor and Members of Council</b>
<b>From:</b>	<b>Sheila Kidd, Commissioner, Transportation &amp; Public Works</b>
<b>Resource Staff:</b>	<b>Luke Follwell, Director, Engineering Services</b>
<b>Date of Meeting:</b>	<b>November 19, 2019</b>
<b>Subject:</b>	<b>Gardiners Road and Centennial Drive Cost Sharing Agreement</b>

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**Executive Summary:**

The purpose of this report is to seek Council approval to enter into a letter of understanding with the Ministry of Transportation of Ontario (MTO) for the advancement of works on MTO-owned lands for the City's intersection works at Gardiners Road and Centennial Drive/Creeksford Road. The value of this work including design, contingency, and construction is \$722,225 plus HST.

On Gardiners Road, the MTO has advanced works at their Highway 401 interchange. MTO work is currently in progress and scheduled to be completed in 2021. The MTO work area is extensive including portions of both Highway 38 (Gardiners Road) and provincial Highway 401. The MTO project area extends to the limit of their ownership at Centennial Drive, which creates and overlap of work zones between the City and MTO projects.

Construction regulations in Ontario do not allow two separate work projects to be in the same space at the same time and concurrent projects must maintain a minimum separation distance primarily for project safety. This means that the timing of works in close proximity must be carefully coordinated because only one project can proceed in the same work area. MTO and City staff have been in regular communication respecting these two projects. Through these discussions, the MTO has identified an efficiency option for the projects that would allow for City work to proceed in the overlap area using the current MTO contractor.

Staff are recommending that MTO coordinate the work in the overlap area with their contractor (R.W. Tomlinson) to allow both projects to proceed in a timely manner. MTO would work with their contractor to begin the work in spring 2020 and establish a separation of work zones for City work to advance thereafter, subject to completion of design, approvals, and procurement for the City project. The improvements will be incorporated into MTO Contract 2018-4100.

November 19, 2019

Page 2 of 6

R.W. Tomlinson is a reputable construction company that that has completed projects for the City in the past and is currently engaged on the John Counter Boulevard bridge project. The proposal received from MTO is within the amount budgeted by the City for the completion of this section of work.

**Recommendation:**

**That** Council authorize the Mayor and Clerk to enter into a letter of understanding with the Ministry of Transportation of Ontario (MTO) for the advancement of works incorporated into MTO Contract 2108-4100 which is a form satisfactory to the Director of Legal Services as a standard form of contract issued by the MTO.

November 19, 2019

Page 3 of 6

**Authorizing Signatures:**

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**Sheila Kidd, Commissioner,  
Transportation & Public Works**

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**Lanie Hurdle, Interim Chief  
Administrative Officer**

**Consultation with the following Members of the Corporate Management Team:**

Peter Huigenbos, Acting Commissioner, Community Services	Not required
Brad Joyce, Acting Commissioner, Corporate Services	
Jim Keech, President & CEO, Utilities Kingston	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

November 19, 2019

Page 4 of 6

**Options/Discussion:**

The City is currently working with an external consultant to complete the detailed design and approvals for intersection upgrades at Gardiners Road and Centennial Drive/Creekford Road. This intersection is jointly owned by the City and the province, where the province owns Gardiners Road immediately north of Centennial Drive and the Ministry of Transportation (MTO) maintains the traffic signal operations. Upgrades are required by MTO to accommodate traffic volumes related to city growth west on Creekford Road and the opening of the Centennial Drive extension. External design expertise is needed to manage the requirements and approvals of MTO.

The extent of the intersection work is significant, including additional lane capacity and replacement of the traffic signals and lighting. The City is also completing improvements to accommodate pedestrians and cyclists through the intersection from Creekford to Centennial as part of the Active Transportation Master Plan.

On Gardiners Road, the MTO has advanced works at their Highway 401 interchange. MTO work is currently in progress and scheduled to be completed in 2021. The MTO work area is extensive including portions of both Highway 38 (Gardiners Road) and provincial Highway 401. The MTO project area extends to the limit of their ownership at Centennial Drive, which creates and overlap of work zones between the City and MTO projects. See Exhibit A for a sketch of the project areas and overlap.

Construction regulations in Ontario do not allow two separate work projects to be in the same space at the same time and concurrent projects must maintain a minimum separation distance primarily for project safety. This means that the timing of works in close proximity must be carefully coordinated because only one project can proceed in the same work area.

MTO and City staff have been in regular communication respecting these two projects. Through these discussions, the MTO has identified an efficiency option for the projects that would allow for work to proceed in the overlap area, using the current MTO contractor.

Staff are recommending that the MTO complete the work in the overlap area with their contractor (R.W. Tomlinson) to allow both projects to proceed in a timely manner. MTO would work with their contractor to begin the work in spring 2020 and establish a separation of work zones for City work to advance thereafter, subject to completion of design, approvals and procurement for the City project.

Staff have reviewed the scope of work and are in agreement with the proposed costs associated to complete this work. The proposed works would be complimentary to the intersection works to be completed by the City. Pricing to complete the construction of the work is established through public tender process as awarded by MTO.

In order to proceed, MTO requires the City to enter into a letter of understanding, which will outline costs, payments, and the responsibilities of each party. Below are the details as provided by the MTO regarding the cost estimate to advance the works within the overlap area.

November 19, 2019

Page 5 of 6

Table 1: Costs to complete the work by MTO in the overlap area as described in Exhibit A

Description	Cost
Design Drawings to incorporate City of Kingston works into MTO Contract	\$47,700
Construction Cost to incorporate City of Kingston works into MTO contract	\$586,500
Construction Contingency (15%)	\$87,975
HST (13%)	\$93,833
<b>TOTAL Design and construction cost to be paid by the City of Kingston</b>	<b>\$816,058</b>

R.W. Tomlinson is a reputable construction company that that has completed contracts for the City in the past. The proposal received from MTO is within the amount budgeted by the City for the completion of this work.

**Existing Policy/By-law:**

Not Applicable

**Notice Provisions:**

Not Applicable

**Accessibility Considerations:**

Design for the proposed intersection works is to be completed in consideration of the *Accessibility for Ontarians with Disabilities Act, 2005*.

**Financial Considerations:**

MTO has selected a contractor for their interchange works through a public tender process in accordance with International Trade Treaty requirements. The City would receive the benefit of this competitive bid pricing as part of this agreement.

There are sufficient funds in the approved Engineering Services capital budget to complete this project.

**Contacts:**

Luke Follwell, Director Engineering Services 613-546-4291 extension 3139

**Other City of Kingston Staff Consulted:**

Alan McLeod, Acting Director, Legal Services

November 19, 2019

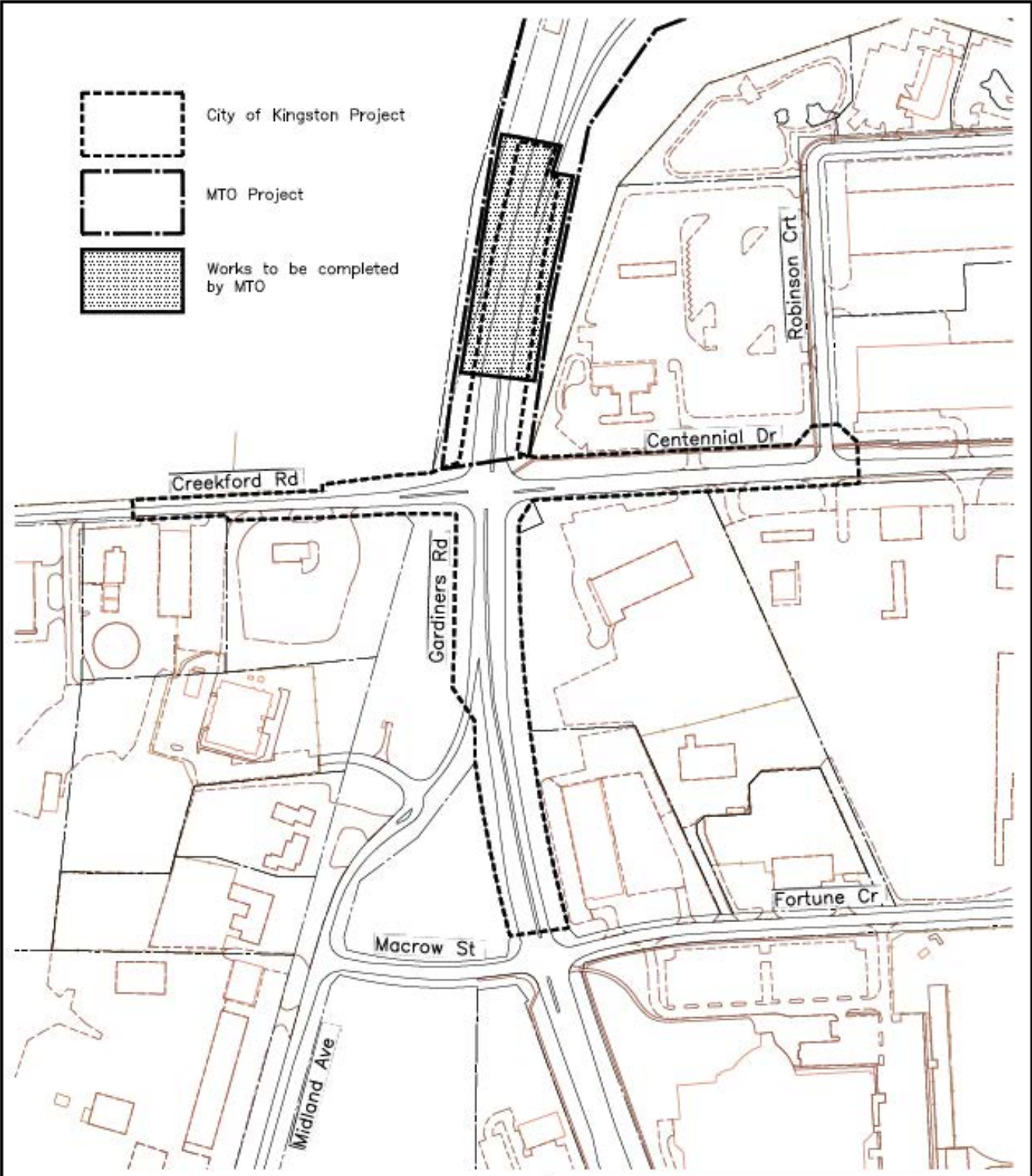
Page 6 of 6

Tyler Lasko, Manager, Design & Development, Engineering Services

Anthony Simmons, Manager, Construction Engineering Services

**Exhibits Attached:**

Exhibit A – Sketch of City and MTO Project Areas



**CITY OF KINGSTON**  
Engineering Department  
*Infrastructure Management*

**Gardiners/Centennial  
Intersection Improvements**

Date: Nov. 4, 2019