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VIVANEXT

MARKHAM TOWN CENTRE - AWARD OF WORK WARDEN AVENUE, SOUTH OF IBM BRIDGE TO ENTERPRISE DRIVE

The Rapid Transit Public/Private Partnership Steering Committee recommends the adoption of the recommendations contained in the following report dated April 2, 2009, from the Vice President, York Region Rapid Transit Corporation.

1. RECOMMENDATIONS

It is recommended that:

1. Council authorize York Consortium 2002 to undertake the construction of the rapidways on Warden Avenue to allow operation of bus rapid transit in both directions through the Civic Mall conditional on:
 - staff determining, in conjunction with the Owner's Engineer, that York Consortium 2002's Guaranteed Maximum Price proposal is cost competitive and within budget, and
 - agreement in principle with the Town of Markham on terms of a "right to enter and construct agreement" and an "operating agreement" for use of the civic mall rapidway.
2. Council authorize the Regional Chair and Clerk to execute a contract with York Consortium 2002 for such work in a form acceptable to staff and Legal Services.
3. In the event that York Consortium 2002's proposal to undertake the work is not deemed to be cost competitive, that Council authorize staff to immediately publicly tender the work through a Request for Proposal/Tender process.

2. PURPOSE

This report supplements the September 2008 report, which requested authorization for York Consortium 2002 to undertake construction of the Markham Town Centre Civic Mall rapidway from Warden Avenue to Birchmount Drive, along Enterprise Boulevard. This report seeks further approval for the construction of the rapidways south along Warden Avenue from south of the IBM bridge to the intersection with the rapidways along Enterprise Boulevard.

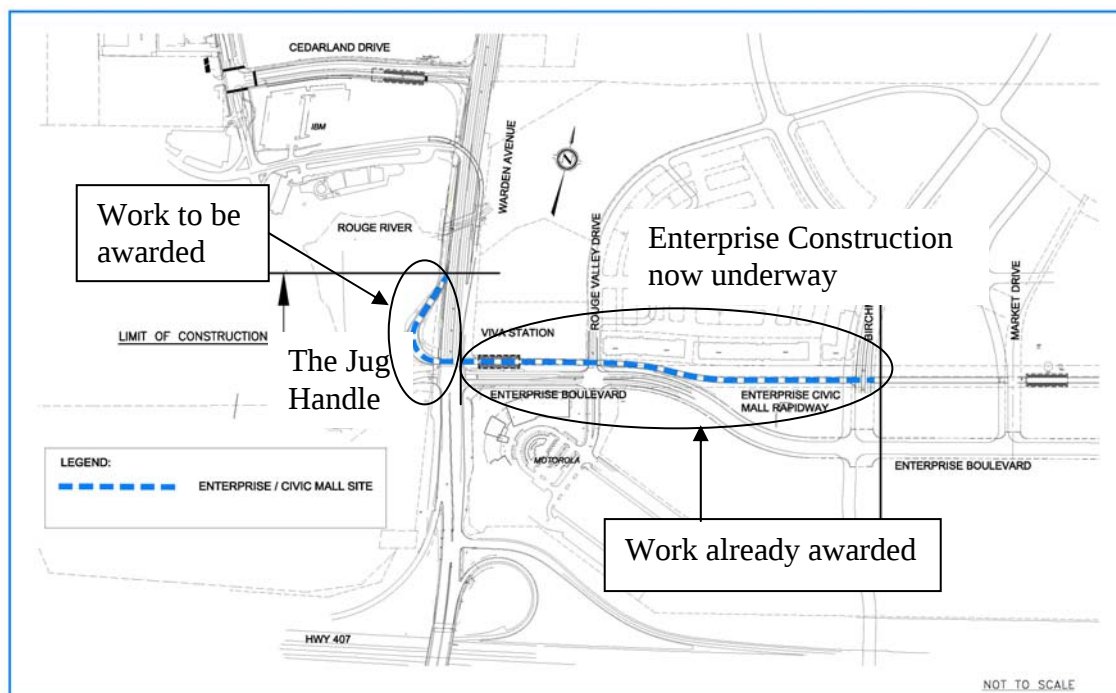
3. BACKGROUND

On September 18, 2008 Council authorized York Consortium 2002 to undertake the construction of the Markham Town Centre Civic Mall rapidway, from Warden Avenue to Birchmount Drive along Enterprise Boulevard, subject to staff determining, in conjunction with the Owner's Engineer, that York Consortium 2002's Guaranteed Maximum Price proposal was cost competitive and within budget.

An additional section of rapidways on Warden Avenue is necessary to allow eastbound buses, which are travelling south on Warden Avenue, to enter the Civic Mall through a "jug-handle" arrangement as shown in Figure 1.

Subsequently, funding was secured for the complete construction of rapidways south along Warden Avenue and through the Civic Mall along Enterprise Boulevard up to Birchmount Drive. In a letter dated November 18, 2008 the Ministry of Transportation Ontario, authorized the use of Quick Wins money for the early construction of the Markham Town Centre Civic Mall identified in Figure 1.

Figure 1
Bus Rapidways along Warden Ave, and through the Markham Civic Mall



4. ANALYSIS AND OPTIONS

The Markham Centre Civic Mall Rapidway is a 1 km. segment of the “Centre to Centres” Highway 7 Viva rapid transit system. It is unique in character in that it runs along a shared use corridor through the heart of Markham Centre. The Civic Mall section will connect eastward to the intermodal facilities at the Unionville GO Transit station, allowing Viva transit users to connect to higher order GO Rail and 407 Transitway systems, as well as to local transit routes.

Development construction has begun along the Markham Centre Civic Mall

Construction of high density condominium buildings along the northern edge of the corridor is well underway and occupancy is expected to commence this spring, with construction of the public space elements of the Civic Mall by the Town of Markham expected in 2010. Construction of the rapidway along this corridor is anticipated to be complete by year end, and will enable rapid transit service along the rapidway in the spring of 2010.

Construction of rapidways through the Civic Mall is proceeding and the initial subsurface construction has been completed

Following completion of the preliminary engineering work programme, and having provided a satisfactory and cost competitive price, York Consortium 2002 was awarded a limited contract to begin early construction of the Civic Mall segment from Warden Avenue to Birchmount Drive in December 2008. That construction was limited to the underground civil works (storm sewer, utility relocation and rapidway granular material placement) and is now complete. The negotiation of the final design and award of the balance of the work along the rapidway between Birchmount Drive and Warden Avenue will be included in the negotiation of award of work for the Warden Avenue contract.

The station and canopy final design are being developed as a part of a separate work programme in order to allow York Consortium 2002 to present a Guaranteed Maximum Price for the completion of the rapidways

In order to facilitate the first vivaNext station and canopy construction, final design work for both elements is being advanced through an award of work programme under the “Owners Engineer’s Cost Opinion Evaluation Process for Projects Under \$1,500,000” to complete the design and put the canopy out for competitive bids and establish prices. These prices will be included in the design-build contract within a guaranteed maximum price for all of the work on Warden Avenue and the completion of the works between Birchmount Drive and Warden Avenue.

5. FINANCIAL IMPLICATIONS

Total anticipated capital value of the project is \$16.8 million, including the segment from Birchmount Drive to Warden Avenue. This value includes all preliminary engineering and design, property requirements for the jug handle, and capital construction. The cost of construction has been budgeted at \$12.1 million, inclusive of Owner's Engineer and project oversight costs. The project will be funded from the \$67.6 million MoveOntario 2020 reserve funds that have been received.

6. LOCAL MUNICIPAL IMPACT

The Highway 7 rapidway corridor from Richmond Hill Centre to east of Kennedy Road (H3) preliminary engineering activities are being closely coordinated with local planning and economic development activities along the rapid transit corridors.

Draft agreements for the right to enter to construct and a draft agreement for the operation of the Viva system on Town owned components of the rapidway are under preparation by the Region's solicitors. The agreement will be forwarded to the Town for review and sign-off at the end of March. Town staff will be seeking authority from Markham Council to execute the agreements once they are finalized. The authorization to execute the final agreements has already been granted by Regional Council. Staff expects the agreements to be executed well in advance of the need for access to Town owned lands for construction purposes.

7. CONCLUSION

The York Region Rapid Transit Corporation has begun construction of the rapidways from Warden Avenue to Birchmount Drive in order to complement high density condominium development presently underway, and to prepare for the construction of Civic Mall public space elements by the Town of Markham in 2010.

The report seeks approval for York Consortium 2002 to undertake construction of all elements of the Markham Town Centre Civic Mall rapidway – Warden Avenue to Birchmount Drive, along Enterprise Boulevard, including the “jug-handle” on Warden Avenue, subject to their price being cost competitive. If an acceptable price is not achieved, the report also seeks approval to publicly tender the project through a Request for Proposals.

For more information on this report, please contact Mary-Frances Turner, Vice-President, York Region Rapid Transit Corporation at (905) 886-6767 ext. 2226.

The Senior Management Group has reviewed this report.