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Report 2024-118

Report Title: **Tribute Communities – Phase 2 – County Road 20 (Brook Road North)**

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Transportation, Waste, Facilities and Capital Projects

Approved by: Jennifer Moore, CAO

Council Meeting Date: September 9, 2024

Report Not Considered by

Standing Committee Because:

- Time-sensitive Issue (information received too late for Committee consideration)
- Urgent Matter (issue arose after this month's Committee meeting)
- Other

Strategic Plan Priorities: Innovate for Service Excellence

- Ignite Economic Opportunity
- Foster a Thriving Community
- Propel Sustainable Growth
- Champion a Vibrant Future

Recommendation

That County Council, having considered Report 2024-118 'Tribute Communities – Phase 2 – County Road 20 (Brook Road North)' approve:

Option 1:

- Maintaining one lane of traffic at all times

Option 2:

- Allowing a full road closure for a 3-week duration, as presented in the report for the Brook Road widening and infrastructure project being constructed by Behan Construction Ltd
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Purpose

The purpose of this report is to seek Council direction on a request from Behan Construction Ltd. to close Brook Road North (N) between Elgin Street and King Street for a duration of 3 weeks.

Background

Tribute Communities has received Draft Plan Approval for the development of Phase 2 (formerly known as Cobourg Trails Development). To service the development, the installation of underground infrastructure such as watermain and sanitary sewer is required on Brook Road N between Elgin Street and the entrance to the development (known as Street 'BB'). It should be noted that the sanitary sewer main will be approximately 8.0m deep for approximately 20m between Elgin St and Street 'BB'.

In addition to the installation of the underground infrastructure and as a condition of Draft Plan Approval the developer is required to widen Brook Road N between Elgin St and Street 'BB' to accommodate a left turning lane for north bound traffic. As well the developer is required to re-construct the vertical alignment of Brook Road N to improve sight lines at the intersection of Brook Road N and Street 'BB'. The vertical alignment of Brook Road North will be raised approximately 0.75m.

CIMA+ was retained by Tribute Communities to complete the detailed design for the Brook Road N widening. Since the initiation of the design County staff have communicated that the work must be completed while maintaining 1 lane of traffic at all times. The 1st submission was received by the County in July of 2022 which did not yet include staging plans and the County included in the comments for the 1st submission that the staging plan is still required and consultation will be required for the maintenance of traffic on Brook Road N during construction. Subsequently the 2nd submission did not include staging plans, however the 90% submission included staging plans that would accommodate one lane of traffic. At no time during the design process did any of the stakeholders indicate that a full road closure would be required.

County Staff have been diligent in providing comments for the submissions throughout the process to ensure timely responses. The 90% detail design was received by the County on May 27, 2024, and comments for this submission were provided on June 17, 2024. The County received the 100% drawing submission on June 24, 2024, and comments were provided on June 25, 2024 confirming that staff are satisfied with the detailed design and staging plan.

Concurrently with the detailed design submission monthly progress meetings were hosted by Tribute Communities. At a progress meeting on May 28, 2024, a discussion regarding construction of the Brook Road N work was initiated. At that meeting expectations from the County regarding timing for paving was discussed. It was noted that a cut-off date of November 1st is typical for paving to ensure compliance with OPSS specifications, and it was determined by Tribute Communities that a construction start date would need to be August 1, 2024 to meet a November 1st completion date. At the June 25, 2024 progress meeting it was noted that CIMA+ has provided the tender package to Tribute Communities for review and comment. At

the July 23, 2024 progress meeting Tribute Communities confirmed that the Tender package had been released and was expected to close July 24, 2024. The County is of the understanding that the contract was awarded to Behan Construction Ltd. the week of August 12th.

On August 20, 2024 County Staff met with Behan Construction Ltd. on site to discuss concerns that Behan's was raising about the staging plan, specifically concerns with constructability, safety of vehicular traffic (a live lane of traffic adjacent to the sanitary sewer trench) and that if they maintain one lane of traffic the project will not be completed by November 1, 2024 and the estimated completion date is December 2, 2024. With these concerns in mind Behan's proposed a 3-week road closure to complete the installation of the sanitary sewer and concurrently will prepare the road widening and grade raise for Brook Road. They indicated this would mitigate the schedule with the construction period being reduced by approximately 5 weeks with an estimated completion date of October 28, 2024. County staff advised of the concerns with this last minute request as it had not been raised previously and the project had been tendered with the approved staging plan that maintained one lane of traffic.

This was subsequently presented by Behan's at the pre-construction meeting held the following day on August 21, 2024. County staff advised at the meeting that Council approval would be required for a road closure of this duration. County Staff also advised that advance notice of the road closure would need to be distributed to the public, emergency services, bussing companies, the industrial area, businesses and residents that will be directly affected by the closure a minimum of 2 weeks in advance. CIMA+ stated at the meeting that they consulted with the geotechnical consultant regarding the safety concerns and noted that the geotechnical consultant has stated that there should be no issues or minimal risk of a trench collapse with the use of a trench box that is installed correctly. Therefore, maintaining one lane of traffic should be achievable, as originally planned and tendered. County staff are not aware of any concerns raised with Tribute about the staging plan during their tendering process and had the full closure request been made earlier during the design review stage, staff would have been able to complete a thorough review and impact of the closure and presented a recommendation for Council consideration at a regular Council meeting.

Consultations

N/A

Legislative Authority / Risk Considerations

The contractor completing the work on Brook Road (Behan) is retained by Tribute Homes and is required to obtain a Road Cut Permit from the County prior to initiating construction.

The contractor will be required to follow the Ontario Traffic Manual (Book 7) for working in traffic.

The Contractor will be required to follow the Ontario Health and Safety Act including WHIMS Reg. 860.

The Contractor will be required to follow the Ontario Environmental Protection Act including O. Reg. 406/19: On-site and Excess Soil Management.

Discussion / Options

The request to close the road for construction is a last-minute request that was not expected. Road closures approved at a staffing level would normally be less than 5 days in duration and anything longer than this duration is presented to County Council for consideration. As part of the road closure process, staff takes into consideration communication to the public, emergency services, bussing companies, schools, businesses, residents, etc., to ensure adequate advanced and on-going notice of a closure that allows time for accommodations to be made with respect to access, emergency service and bus re-routing, etc. Full closures are typically communicated a minimum of two weeks in advance of construction starting.

There are two Options for consideration:

Option 1 – Maintain one lane of traffic at all times as per the tender documents

If one lane of traffic is maintained, construction is anticipated to be complete by December 2, 2024 according to Behan's schedule. It is anticipated that there may be construction required in 2025 to complete remedial work, which includes work such as the removal of temporary asphalt, placement of permanent asphalt and site restoration. Any asphalt work completed after November 1st of any given year is subject to weather and if placed during temperatures that are below temperatures as outlined in OPSS the asphalt would be considered sacrificial and non-conforming. This Option has a longer construction duration, which impacts road users, businesses and residents, however, it ensures traffic is still able use this route.

Option 2 – Approve a full road closure for a 3-week duration

This option would result in an anticipated construction completion of October 28th, 2024 according to Behan's proposed schedule. The full road closure will have greater impact on emergency services, bussing companies, trucking companies (Brook Road is a dedicated Truck Route), businesses and residents on Brook Road, and also impact businesses and residents on a proposed detour route. However, it will shorten the construction duration by approximately 5 weeks. If this option is approved, staff recommend that a minimum two weeks' notice of the closure be provided to ensure adequate time for public communication.

Financial Impact

N/A

Member Municipality Impacts

Town of Cobourg staff would need to be consulted regarding the road closure as it is expected that a detour route will include either D'Arcy Street to King Street or Burnham Street to King Street.

Conclusion / Outcomes

The Brook Road N widening project was initiated in 2022 with the first submission from Tribute Communities. Staff have consistently communicated that maintaining vehicular traffic during construction is required and that a staging plan must be prepared. The final approved submission included a staging plan maintaining one lane of traffic, which was tendered by Tribute for construction in July 2024. The request for a full road closure was only received by County Staff on August 20th, 2024. While a full road closure does allow for a reduced construction period and a safer construction site, it does significantly impact a County Arterial

Road which provides for the movement of goods and services (is a designated Truck Route), emergency services, bussing companies, businesses and residents. If a full closure is approved, staff recommends two weeks' notice of the closure be provided to ensure adequate time for public communication.

Staff are seeking direction from County Council regarding the approval or denial of the request from Behan Construction Ltd for the closure of Brook Road N between Elgin Street and King Street for a duration of 3 weeks.

Attachments

- 1) Report 2024-118 ATTACH 1 'Tribute Communities – Phase 2 Key Map
- 2) Report 2024-118 ATTACH 2 'Correspondence, Behan Construction LTD., Brook Road North Road Closure Request'