

 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG	
	Council Report	
To:	Mayor John Henderson and Members of Council	
From:	Dean A. Hustwick, Director of Community Services	
Date of Meeting:	July 03, 2019 Committee of the Whole Meeting	
Title/Subject:	Waterfront Plan – Design and Engineering for East Pier & Campground – Update on June 13, 2019 Memo	
Report Date:	June 27, 2019	File #

1.0 STRATEGIC PLAN

The Town of Cobourg Strategic Plan Components (2019 – 2022) includes the following Strategic Actions:

- *Invest in programs, services and infrastructure to make Cobourg more accessible*
- *Repair and rejuvenate the East Pier*

3.0 RECOMMENDATION

THAT Council receive the two staff memos from the Director of Community Services, dated June 13 and June 27, 2019, for information purposes; and

FURTHER THAT Council authorize *thinc design* to be engaged for an amount of \$45,000 (plus HST) to conduct public engagement on design options for the East Pier and Campground with the initial costs for this work to be taken from the \$155,000 allocated in the 2019 Capital Budget for design and engineering work for the East Pier, Campground and West Harbour/West Headland/West Beach; and

FURTHER THAT Council direct staff to begin the procurement process for engineering services to develop drawings, costs and tender documents for construction for the East Pier and Campground repairs and improvements based on the preferred designs, and any subsequent additional direction from Council, at the end of the public engagement process; and

FURTHER THAT the additional estimated engineering and construction costs be submitted through the 2020 Budget process.

4.0 ORIGIN

During the Committee of the Whole meeting on June 24, 2019, the following motion was moved by Councillor Emily Chorley:

THAT Council receive the staff memo from the Director of Community Services for information purposes; and

FURTHER THAT Council direct staff to conduct a public engagement process in September 2019 regarding the repair/improvement of the East Pier and Victoria Park Campground that includes:

- *A public open house to provide citizens with the opportunity to review and discuss the options and conceptual drawings in the Waterfront User Needs Assessment and the Shoreplan East Pier Engineering Assessment; and*
- *The use of Bang the Table (public engagement software); and*

FURTHER THAT Council direct staff to provide a report to Council no later than November 4, 2019 that includes:

- *A summary of the feedback obtained during the public engagement process;*
- *Recommendations for the nature and scope of East Pier and Campground repairs/improvements based on the feedback obtained during the public engagement process; and*
- *A request for Council authorization to begin the procurement of engineering or other services to develop drawings, costs and tender documents for the preferred options in preparation for a Public Meeting; and*

FURTHER THAT the additional estimated engineering and construction costs be submitted through the 2020 Budget process.

The Committee of the Whole voted to refer this motion and agenda item to the July 03, 2019, Council Meeting.

5.0 BACKGROUND

Refer to the June 13, 2019 Memo entitled "Waterfront Plan – Design and Engineering for East Pier & Campground."

6.0 ANALYSIS

During the development of the staff memo and the attached project timeline that were presented to the Committee of the Whole on June 24, 2019, municipal staff worked collaboratively across Divisions and also consulted engineers and engineering technologists, an urban planner and landscape architects.

Since the June 24, 2019, Committee of the Whole meeting, Town staff sought further third-party advice on the proposed motion from some of the same experts as well as an additional engineer. The following analysis of the proposed motion is the result of those discussions.

The repairs and improvements to the Campground, beach walkway and East Pier are multi-million dollar infrastructure projects that will have a profound and long-lasting impact on Cobourg's waterfront. These projects need to be managed professionally and carefully, otherwise the timeline, costs and quality could be impacted in a very negative manner.

Staff were asked by Council to develop a public engagement process that would integrate with the engineering processes for implementation of the recommendations of the Waterfront Plan and Shoreplan engineering study of the East Pier.

For a public engagement process to be effective, it must be credible and meaningful. The Waterfront Plan was the result of significant public engagement and has been posted on the Town's website for public review and comment since mid-2018. The Shoreplan study of the East Pier has been on the Town's website for public review since early this year.

In order to obtain additional meaningful public input on these projects, the public needs to be presented with new information, specifically concepts and drawings of the various repair and enhancement options available for consideration in a final design. Without these products, a public meeting in September would produce minimal additional input and benefit. Also, the Bang the Table platform works best when it is soliciting feedback on specific plans and drawings.

While a few new questions (survey) may be able to help understand the public's preferences for existing concepts, it may be difficult for individuals simply to visualize in their own minds or to articulate in their own words their own preferences regarding concepts, designs and physical features.

Additionally, another round of public engagement would naturally lead the public to expect something new, without which could result in negative public reaction to a less meaningful process.

While it is possible to organize a preliminary public meeting before starting the design process, it is strongly recommended that, at a minimum, the design experts are first engaged so that they are able to attend the meeting and, preferably, participate.

However, if the Town proceeds directly to a public meeting in September without consultants and utilizing nothing more than existing materials, it will still need to create final concept plans and design drawings before proceeding to the engineering stages. This means that the RFP for engineering services won't have the benefit of a publicly endorsed concept plan and would need to incorporate both the design function and a public engagement process as preambles to the engineering stages. While this may not be as much of a problem for small projects, it may very well cause significant challenges for large, multi-million dollar projects like Cobourg's waterfront.

Such a situation creates many unknowns as there will not have been a credible and technical vetting process for a final design before the procurement of engineers, which could encourage consultants submitting proposals for an RFP to inflate their prices to cover these unknowns, which would result in higher costs for the Town.

Alternatively, having preferred design drawings that have already been vetted by experts and the public, along with an estimated budget, would provide the necessary framework to develop a thorough RFP and to facilitate reasonable and competitive bids.

Staff have estimated that the proposed motion will result in a project delay of approximately four to five months. Such a delay could push the eventual construction phase beyond 2020 and into 2021. If Lake Ontario experiences similar high water levels as it did this year and in 2017, construction on the East Pier would most likely need to be delayed until the late summer or fall of 2021. Furthermore, construction at the waterfront during the summer is not recommended because of its likely impact on the enjoyment of waterfront visitors and residents as well as customers of the marina, campground and businesses. Under this scenario, and depending on the extent of the final designs, construction may not be completed until sometime in 2022 instead of potentially 2020 or 2021 at the latest.

7.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

The financial and budget impacts of the proposed motion are difficult to estimate. However, without the availability of design drawings in the fall of 2019, staff will not be able to provide Council with enhanced clarity on project costs during the 2020 Budget deliberations and will have to rely on existing estimates for the high-level concepts for improvements provided in the Waterfront Plan. Without more refined designs and cost estimates, it is possible that the 2020 Capital Budget may not reflect the actual project budget once determined through the final engineering documents.

8.0 CONCLUSION

The Town has a fiduciary responsibility to exercise due diligence in all of its operations, especially major capital infrastructure projects, and to apply professional project management standards.

By choosing not to conduct the appropriate technical work at the beginning of this project, the Town could be creating considerable additional risk for the project's overall schedule, budget and quality.

Staff believe that third-party experts (urban planners/landscape architects such as *thinc design*) are required at the beginning of the process and need to participate in the public engagement process. Staff believe that replacing the recommended motion with the proposed motion could have the following impacts on the waterfront projects:

- Instead of the public seeing and commenting on concepts and design options for the Campground and East Pier in September, and final preferred concepts in October or November, the public will have to wait until early to mid-2020 before it will have an opportunity to provide meaningful input.
- The design process would be postponed until after an engineering company is procured competitively after Council provides further direction in November. Once the successful engineering company is selected and hired, presumably in December 2019 or January 2020, that company would then need to engage a landscape architecture firm to prepare design options that would, inevitably, need to go through additional public engagement in order to develop final designs that would then proceed through the engineering stages.
- Staff would not be able to provide Council with enhanced clarity on project costs during the 2020 Budget deliberations and will have to rely on existing estimates for the high-level concepts for improvements provided in the Waterfront Plan. Without more refined designs and cost estimates, it is possible that the 2020 Capital Budget may not reflect the actual project budget once determined through the final engineering documents.

9.0 POLICIES AFFECTING THE PROPOSAL

- Public Engagement Policy
- Purchasing Policy

10.0 COMMUNICATION RESULTS

As per above.

Title:	Signing Official:	Signature:	Date:
Director, Community Services	Dean A. Hustwick		
Chief Administrative Officer	Stephen Peacock		