

Administrative Backgrounder

Public Presentation Request

Title	9:05 a.m. Resident Presentation Regarding County Road Project Concerns
Purpose of Report	To provide Council with background information relating to resident concerns with the County's obligations pursuant to the upgrading of Range Road 274 from Highway 633 to Highway 37, and Local Roads Project of Range Road 272 from Township Road 540 to Highway 633.
Proposed Motion	That Council refer the resident presentation regarding concerns about County road projects to Administration to present information and a recommendation at a future Council Meeting.
Previous Council Direction	<p><u>June 14, 2022 Regular Council Meeting</u> Motion 225/22: That Council award the contract for the Range Road 272 (Township Road 540 to Highway 633) Local Road Project to PME Inc. at a contract price of \$2,068,704.30 (excluding GST) and authorize the Chief Administrative Officer to execute the contract.</p> <p><u>July 13, 2021 Regular Council Meeting</u> Motion 407/21: That Council authorize the Chief Administrative Officer to execute contract awards for the Meadowview Drive Reconstruction and Range Road 261A Realignment Project, the Pine Sands Subdivision Road Rehabilitation Project, the Range Road 274 Collector Reconstruction Project, and the Heritage Industrial Park and Range Road 254 Reconstruction Project to the recommended compliant bidders.</p>
Background Information	<p><u>Issue</u></p> <ul style="list-style-type: none"> Resident concerns relate to the obligations of the County and its prime contractor pursuant to agreements made with the landowner in the capital projects: <ul style="list-style-type: none"> Upgrading Range Road 274 from Highway 633 to Highway 37, and Local Roads Project of Range Road 272 from Township Road 540 to Highway 633.

Range Road 274 from Highway 633 to Highway 37

- Land acquisition for the upgrade has been ongoing since 2012. The construction commenced in 2021 and was substantially completed in Fall 2022.
- Finalizing the project requires consensus between the County, prime contractor, and landowner. The County continues to negotiate in good faith to reach a settlement and has been actively engaged with the landowner and the prime contractor.
- The County is in negotiations with the landowner for the settlement associated with acquiring additional right of way required to upgrade the road. In addition to agreements with the County, there are other agreements between the landowner and the prime contractor that are in dispute.

Background

- To accommodate the road reconstruction, the County entered into a backslope agreement that outlines specific conditions and compensation to be paid to the landowner. There are also agreements/discussions between the landowner and the prime contractor relating to the execution of work on fencing, brushing, and the supply of borrow material.
- To facilitate the road upgrade, the County has negotiated in good faith and County staff have met with the landowner several times to reach amicable terms and to facilitate the completion of the work.
- The County has been trying to meet the needs of the landowner, but the negotiation has gone beyond the intent of the original scope. The County has gone through several designs to minimize the impact to the landowner relative to the land required for the intersection upgrades. The landowner has identified additional requests, and changed requests, after agreements were made. The landowner has also denied the prime contractor access to the land and as a result fulfillment of some of the contractual obligations have not been met.

Implications

- There remain outstanding issues to be addressed relative to the initial agreement. The County still requires a minimum area of 225m² (0.06 acre) land acquisition to ensure the intersection improvement meets a safer, upgraded standard.
- The County is willing to continue negotiations with the landowner in good faith. Failure to reach agreement will delay

completion of the intersection upgrades and any outstanding items.

Local Roads Project Range Road 272 (Township Road 540 to Highway 633)

- To accommodate the road reconstruction, the County was unsuccessful in entering into a backslope agreement with the landowner. The conditions within the proposed backslope agreement were consistent with all other backsloping agreements that were entered into with other landowners within the project limits.
- Issues have arisen related to fencing material salvage and the provision of salvaged wood.
- At the landowner's request, Administration has provided answers and clarification questions on their behalf, through the Farmers Advocate, most recently on March 24 and are still waiting for a response.

Attachment(s)

1. Attachment 1: Presentation Request
2. Attachment 2: Presentation Information

Report Reviewed by:

Gary Mayhew, Director, Transportation and Engineering Services

Scott MacDougall, Chief Operating Officer - COO

Reegan McCullough, County Commissioner - CAO