

# **Metrolinx & Infrastructure Ontario Utility Relocation Guideline**

Dec 01, 2020

## **CONTENTS**

|                                                      |           |
|------------------------------------------------------|-----------|
| <b>Purpose/Introduction .....</b>                    | <b>2</b>  |
| <b>Intended Audience.....</b>                        | <b>4</b>  |
| <b>Guiding Principles for Engagement .....</b>       | <b>5</b>  |
| <b>Utility Relocation Coordination Process .....</b> | <b>7</b>  |
| <b>Dispute Resolution Procedure .....</b>            | <b>10</b> |
| <b>Appendix .....</b>                                | <b>13</b> |

## **ATTACHMENTS**

- 1. Standardized Pre-Construction Estimate Forms**
- 2. Utility Relocation Letter Templates**
- 3. BTFA Utility Coordination Process Flow Diagram**

# 1. Purpose/Introduction

---

The Province of Ontario is committed to delivering new transit infrastructure faster in order to support building strong, healthy and connected communities – this commitment is grounded in collaboration and stronger, more streamlined partnerships.

The Metrolinx and Infrastructure Ontario Utility Relocation Guideline (i.e., the guideline) has been developed to provide clarity on the facilitation and coordination of utility relocation works pertaining to all projects undertaken by Metrolinx.

The guideline provides, at a high level, the new utility relocation process developed by the Metrolinx, Infrastructure Ontario and the Ministry of Transportation, including key steps of engagement, and respective templates that will be utilized by Metrolinx, Utility Companies and respective third parties for coordinating relocation works.

Overall, the guideline is intended to provide a balanced and consistent process for coordinating utility relocation works while ensuring that all parties mutually operate under predictable conditions, with timely and pertinent information sharing, and in the spirit of partnership and collaboration.

## ***Building Transit Faster Act, 2020:***

On July 8, 2020, Bill 171, *Building Transit Faster Act, 2020* (BTFA) received Royal Assent. The Act creates a suite of new legislative measures that will streamline project delivery and support successful completion of the government's four priority subway projects:

- Ontario Line
- Yonge North Subway Extension
- Scarborough Subway Extension
- Eglinton Crosstown West Extension

Part IV of the Act ("Utility Company Cooperation"), sets out authorities that enable stronger coordination of utility relocation works – this includes authority for Metrolinx to require utilities to relocate infrastructure within a specified timeframe, including a process for escalation and enforcement to safeguard against costly project delays. By targeting steps in the planning and construction process that have previously delayed major projects, the BTFA provides the Province with the tools required to deliver priority transit projects faster.

## ***Guideline Application:***

The guideline and utility relocation process contained herein, has been developed to provide guidance for all Metrolinx projects, which include the priority transit projects for which the BTFA authorities apply. As such, references to the BTFA can be found throughout this document, where necessary. For the coordination of utility works that are not part of the priority transit projects, however, references to the BTFA may not be applicable. Where appropriate, construction legislation (i.e. Construction Act) may be considered as an alternative to address potential disputes throughout the course of the utility relocation

process. The guideline is intended to provide “guidance” in alignment with applicable legislation, however, should they be in conflict, legislation should be considered the final authority.

## 2. **Intended Audience**

---

These guidelines have been developed for the following key parties:

- Ontario Ministry of Transportation
- Metrolinx
- Infrastructure Ontario
- Utility Company or Companies (as defined in the Act)
- Contractors, Consortiums and/or Project Company's (bidding on and/or delivering P3 Projects)
- Consultants (commissioned by the parties noted above)
- Other third parties or entities (as applicable)

### 3. Guiding Principles for Engagement

#### **General:**

- The parties involved in the coordination of utility relocation works required for the delivery of Metrolinx projects shall, at all times, engage in good faith, without prejudice, in a manner consistent with the spirit of partnership and collaboration.
- The legislative authorities outlined in the BTFA, are primarily envisioned in their application as backstops/safeguards, in the event that cooperation or negotiation between parties does not result in an adherence to project schedules. The legislative authorities only apply to following projects: the Ontario Line; the Scarborough Subway Extension; the Yonge North Subway Extension; and the Eglinton Crosstown West Extension.
- The parties shall commit to early and continual engagement and communication (from the Project Planning phase, through to Project Implementation phase).
- Metrolinx will ensure that municipal partners are engaged early on all utility relocation works including Subsurface Utility Engineering (SUE) investigations to ensure appropriate coordination before plans are finalized and preparatory and Utility Works Agreements are executed. In addition, municipal partners will be engaged in the development of the Composite Utility Coordination Plan
- The parties will share - in a timely and transparent manner - all relevant data, information and documentation required for the coordination of utility relocation works, within reasonable timeframes.
- The parties will endeavor to leverage industry best practices and standards for utility relocations such as the Transportation Association of Canada (TAC) Guidelines for Utility Coordination.
- The Utility Relocation Guideline may be amended by Metrolinx in collaboration with the Province and Infrastructure Ontario, as required.

#### **Coordination of Utility Relocation Works:**

- Metrolinx (on behalf of the Province) will pay all actual costs (i.e., 100%) related to like-for-like utility relocation works (in accordance with current codes and standards) and will reimburse the Utility Company for all actual costs for work completed.
  - If a Utility Company pursues an upgrade to its existing utility infrastructure as part of a transit project relocation works (i.e., a betterment), the Utility Company will pay the costs associated with that upgrade.
  - Work carried out by a sub-contractor on behalf of the Utility Company will also be eligible.
  - Metrolinx reserves the right to review invoices to audit costs as required.

- Actual costs and schedule requirements for relocation works will be negotiated in good faith between Metrolinx and Utility Company, and will be set out in agreement (i.e., preparatory activities agreement).
  - Metrolinx will provide the Utility Company with reasonable timelines for completing relocations works.
- Metrolinx will issue appropriate notice to Utility Company with regards to the utility work that is expected to be complete according to the initial plan and will potentially result in schedule delays and additional risk. A notice letter (template attached) would be shared with utility companies notifying them when they enter the 30-day period leading up to the date in which work must be complete.
- Scope changes that occur during the Planning, RFP Development or Implementation phases will be addressed and negotiated in good faith in order to identify solutions
- Metrolinx and the Utility Company will work collaboratively to secure property rights required for relocation works, including entry rights, rights-of-way and/or easements.
- In instances where existing utility infrastructure falls within a project corridor but does not require relocation, Metrolinx will make best and reasonable efforts to protect the integrity of existing utility infrastructure and will compensate a Utility Company in the event that existing infrastructure is damaged during construction activities.
- Metrolinx will assume ownership of data and information obtained through the utility relocation coordination process.
- The dispute resolution procedure contained herein will be utilized to manage disputes between Metrolinx and a Utility Company or Project Co. and a Utility Company. Should the process fail to resolve a dispute:
  - Metrolinx can exercise its right to seek compensation from the Utility Company under the legislative authority outlined in the BTFA; or
  - For other contractual related disputes including but not limited to the projects outlined in the BTFA, Metrolinx or the Utility Company may seek a resolution under the Construction Act (See the Dispute Resolution section for further details).

## 4. Utility Relocation Coordination Process

---

In the appendix a series of detailed process flow diagrams outline the process for engagement, from the project planning phase, through to procurement and implementation.

Modelled after the utility coordination process utilized for provincial highway projects<sup>1</sup>, this process will include the issuance of a series of formal “notices” or “notifications” by Metrolinx to a Utility Company. Please see the appendices for more information.

It is important to note that this process is intended to provide guidance and direction based on both best practices and the experiences identified by both provincial and Utility Company staff. This process is not intended to apply to all project specific scenarios and the steps may need to be adjusted as appropriate.

### **Composite Utility Coordination Plan**

To further facilitate the utility coordination process and in order to capture feedback from various stakeholders early in the project, Metrolinx shall be responsible for identifying the actual locations and condition of all existing Utility Infrastructure to complete the Utility Work, identifying all Utility Infrastructure relocation requirements, developing and carrying out a utility coordination plan (the “Composite Utility Coordination Plan”), and performing all required work to protect, support, safeguard, remove and temporarily or permanently relocate Utility Infrastructure as required for the Project.

During the planning RFP development phase, a Composite Utility Coordination Working Group will be established, in collaboration with Utility Companies and municipal partners. The Working Group will bring together stakeholders from Metrolinx and Utility Companies, as well as Municipalities, permitting authorities and any other decision-making bodies involved in the Utility Relocation process.

Through the Working Group, Metrolinx shall obtain requisite consents from and with all Utility Companies and permitting authorities other decision-making bodies with respect to the design, construction, installation, servicing, operation, repair, preservation, relocation, and commissioning of Utility Infrastructure within Project limits.

The Composite Utility Coordination Plan shall include:

- a. identification of existing Utilities;
- b. recommendations on both preparatory activities and utility works;
- c. assumptions and considerations;
- d. Responsibility Matrix defining the division of work into works self-performed by Utility Companies (Category 1), works performed by Approved Subconsultants to be hired by Metrolinx contractors, and works performed directly by Metrolinx contractors

---

<sup>1</sup> The utility coordination process utilized for provincial highway projects is backstopped in the Public Service Works on Highways Act, 1990



- e. documentation of, communication and coordination with Utility Companies including articulation of an understanding of Utility Companies' operational constraints;
- f. documentation of communication and coordination with Municipalities, permitting authorities and any other decision-making bodies;
- g. documentation of communication and coordination with other Stakeholders including businesses and property owners;
- h. approach to managing service interruption to Utilities customers including property owners;
- i. early identification and approach to mitigation of impacts to critical Utility Work;
- j. identification of, and applications for, Permits, Licences, and Approvals required for utility relocation works;
- k. evidence of coordination with all other Utility Infrastructure relocations in the same area; and
- l. approach to supplying Utility services to the Project.

Metrolinx will prepare and submit a Composite Utility Coordination Plan to each Utility Company and Municipalities and other decision-making bodies as required to support RFP development and applications for any required permits.

In addition to utility relocation and design coordination, the Composite Utility Coordination Working Group is used as a forum to discuss infrastructure requirements for future Transit Oriented Communities, Right of Way access prioritization, utility outages, construction servicing requirements, obtaining feedback on relocation designs and any other coordination requirements as presented by the above noted stakeholders. The responsibility matrix identifies all feedback captured by the working group and further assigns action items to impacted stakeholders to ensure every identified issue is addressed accordingly throughout the project. Lastly, Metrolinx will ensure that any materials changes to the Composite Utility Coordination Plan which could occur following commercial close with a successful Project Co., will be appropriately communicated and coordinated with impacted municipalities and utility companies, as required.

### ***Municipal Engagement During Plan Development***

SUE investigations will be coordinated with other municipally controlled works within ROW through municipal participation in the Composite Utility Coordination Working Group.

Municipalities will participate in the development of the composite plans for each project to support capital coordination and to ensure all conditions are met as required to acquire necessary permits/approvals. This includes definition of Project boundaries and identification of restricted or exclusionary zones related to third party infrastructure.

In addition, other relevant decision-making bodies such as municipal transit agencies will be invited to assist in the definition of Project boundaries as well.

The Composite Utility Coordination Working Group will provide representation and data for municipally led coordination efforts for municipal Capital Plans (Public Utilities Coordinating

Committee, Infrastructure Coordination Unit and equivalents).

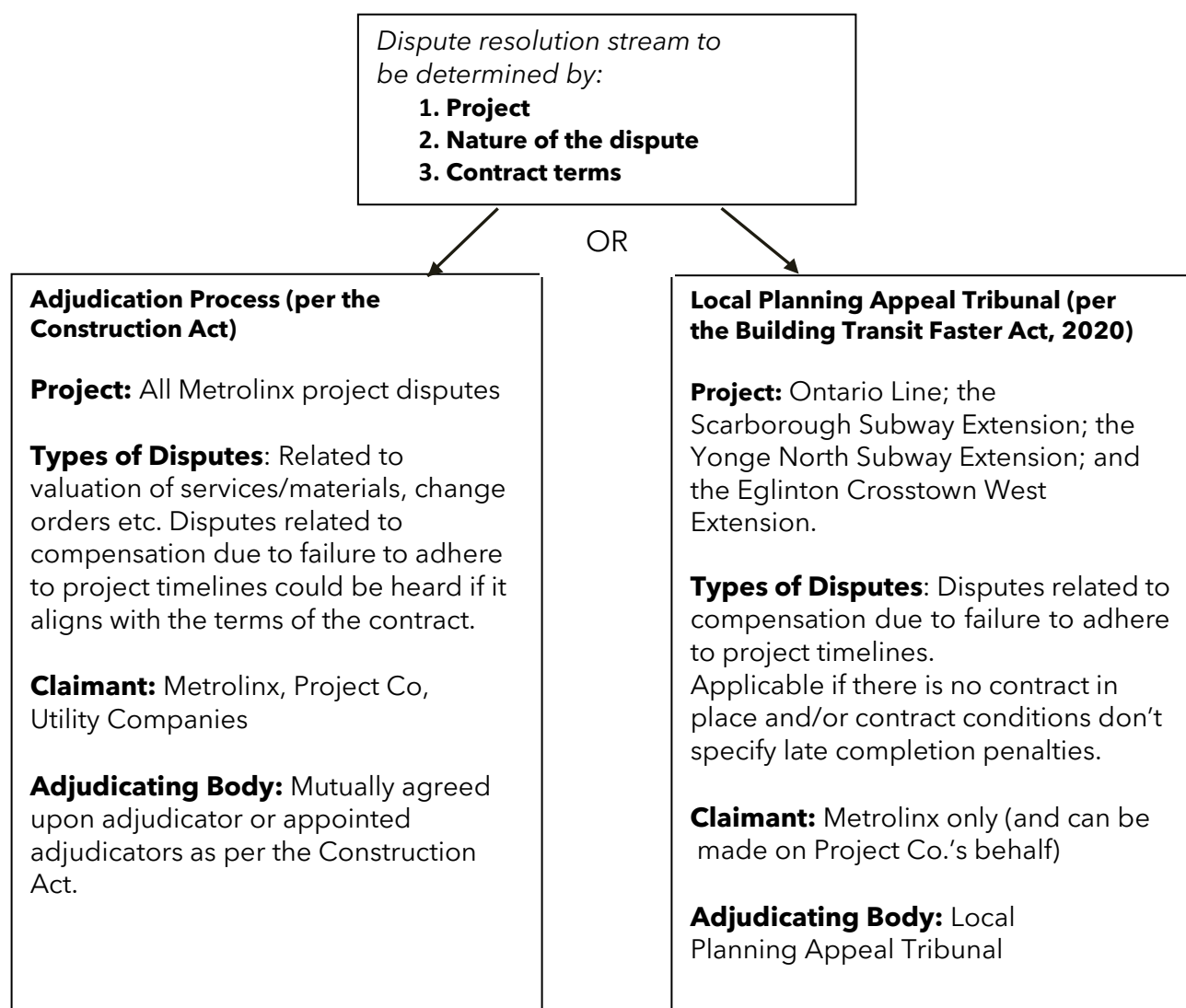
In the procurement phase, there will be municipal planning and technical engagement for items related to municipal infrastructure, municipal consent and permitting – this will include for example, municipal participation in commercially confidential meetings with prospective Project Co's.

## 5. Dispute Resolution Procedure

Parties are expected to work in good faith and make best efforts to resolve disputes through collaboration and amicable negotiation. Escalation by the Province or Metrolinx will only be exercised when other dispute resolution attempts have not resulted or are unlikely to result in the timely completion of relocation works to the detriment of a project schedule. Prior to escalating, Metrolinx will consider all contributing circumstances including those factors which may fall outside the Utilities Company's control.

Should amicable negotiations fail, disputes could be escalated to one of two dispute resolution streams dependent on the Metrolinx project, including the nature of the dispute and contract terms (as outlined in the diagram below):

### Dispute Resolution Streams:



### ***Construction Act Disputes***

Recent amendments to the Construction Act establish an adjudication regime designed to resolve disputes on construction projects as they arise, during the course of a project. The adjudication process is intended to be completed within 45 days (from start to finish).

Pursuant to section 13.5 (1) of the Act, the adjudication provision allows parties to refer a contractual dispute to an adjudicator (mutually agreed upon or appointed) that relates to, for example:

- Valuation of services or materials provided under a contract or subcontract;
- Payment under the contract or subcontract, including proposed change orders (approved or unapproved);
- Non-payment of holdback; and
- Any other matter the parties to adjudication agree to.

The adjudication process can be used to manage contractual disputes that arise during a utility relocation project. This includes contractual disputes between:

- Metrolinx and a Utility Company (either party may be the claimant)
- Project Co. and a Utility Company (either party may be the claimant)

It is important to note that the parties of adjudication will each be responsible for an equal share of the adjudicator's fees.

### ***Building Transit Faster Act, 2020 Disputes***

As noted in Part 3 of this guideline, the BTFA sets out a dispute resolution process whereby Metrolinx may seek compensation for a loss or expense incurred as a result of unmet timelines/delay by a Utility Company with respect to the following projects: Ontario Line; the Scarborough Subway Extension; the Yonge North Subway Extension; and the Eglinton Crosstown West Extension. The compensation amount may be agreed upon between Metrolinx and a Utility Company, however; if no agreement is reached, a claim for compensation will be determined by the Ontario Local Planning Appeal Tribunal (LPAT).

Claims for compensation to LPAT can only be sought, on application, by Metrolinx and there is no specified time limit for when LPAT will determine whether compensation should be awarded; however, it is expected to be completed in a timely manner.

This mechanism allows Metrolinx to seek compensation from a Utility Company in the event that Metrolinx suffers a loss or expense as a result of work not being completed on schedule. The compensation amount may be agreed upon between Metrolinx and a Utility Company, however; if no agreement is reached, a claim for compensation will be determined by LPAT. It is important to note that Metrolinx can also apply for a claim for

compensation to LPAT on Project Co.'s behalf, in the event that the adjudication process provided in the Construction Act cannot be utilized to adjudicate a dispute between Project Co. and a Utility Company related to schedule delays, due to contractual terms.

## 6. Appendix

### Key Terms:

**Actual/Eligible Costs:** As defined in the Act, includes for example costs of work carried out by a Utility Company to comply with a notice provided by Metrolinx to take up, remove or change the location of utility infrastructure:

- the actual wages paid to all workers up to and including the supervisors for their time actually spent on the work and in travelling to and from the work, and the cost of food, lodging and transportation for such workers where necessary for the proper carrying out of the work;
- the cost to the Utility Company of contributions related to such wages in respect of workplace safety and insurance premiums, vacation pay, employment insurance, pension or insurance benefits and other similar benefits;
- the cost of using and transporting equipment and explosives used in the work;
- the cost of planning, designing and engineering;
- the cost of materials;
- the cost of acquiring necessary permits, approvals and property rights; and
- related administrative costs such as for project management.

**Ineligible Costs:** Metrolinx will not reimburse a Utility Company for relocation work involving the following:

- Work completed prior to authorization by Metrolinx;
- Betterments or improvements to utility facilities;
- Expenditures improperly documented;
- Work undefined in the approved relocation plans and estimate;
- Work not required by the designated transit project;
- Utility work or changes to an approved design for the benefit or convenience of the Utility Company or its contractor; and
- New facilities not previously approved by Metrolinx.

**Building Transit Faster Act, 2020:** proposed provincial legislation that includes a series of authorities and provisions to address several challenges and barriers typically experienced while planning, procuring and implementing major public transit infrastructure projects. These provisions include the enablement of corridor permit developments, the ability to enter land, land assembly, municipal service and right-of-way access, and utility company coordination.

**Composite Utility Coordination Plan:** workplan created by Metrolinx based on inputs

received from utility and municipal stakeholders through composite utility working groups. The document includes identification of existing utilities, operational constraints, service interruption, impacts to critical Utility Work, permits, assumptions, recommendations, licences, approvals, responsibility matrix and documentation of all communication between stakeholders.

**Corridor Development Permit:** permit that Metrolinx issues that grants the developer permission to proceed with their development and must be issued prior to the Municipal permit.

**Dispute Resolution Process:** The protocol that establishes a process for dealing with disputes between the Parties as outlined in the Dispute Resolution and Enforcement Process section.

**Utility Works:** Utility relocation works that are under an agreement between Project Company and Utility Company.

**Preparatory Activities:** Utility relocation works that are under an agreement between Metrolinx and Utility Company.

**Project Company or Project Co.:** a company, entity or consortium that enters into the Project Agreement with Metrolinx and/or Infrastructure Ontario for the delivery of a priority transit project.

**Priority Transit Projects:** Ontario Line, Scarborough Subway Extension, Yonge North Subway Extension, Eglinton Crosstown West Extension.

**Preliminary Design:** Initial Design of preferred engineering solution for Project, as created by Project Co and reviewed/approved by all Authorities Having Jurisdiction.

**P3 or Public-Private Partnership:** The Province uses a made-in-Ontario approach to deliver large, complex public infrastructure projects. Public-private partnerships (P3) leverage the expertise and competitiveness of the private sector to successfully expand, modernize and replace Ontario's aging infrastructure. This P3 approach includes a variety of models to ensure projects are procured and delivered effectively. Under P3s, provincial ministries and/or project owners establish the scope and purpose of a project, while design and construction work are carried out - and often financed - by the private sector. Typically, only after a project is completed will the province complete payment to the private-sector company. In some cases, the private sector will also be responsible for the maintenance of what was developed. For some very complex projects, there are situations where even after extensive planning and due diligence, there remain significant risks that are difficult to quantify or manage in advance of a project beginning. In cases like this, the partnership may require the public and private partners to share such risks. Overall, Ontario's P3 approach allows projects to be delivered more efficiently and more cost effectively than traditional procurement. P3 also protects taxpayers from cost overruns by transferring project risks to

the party with the expertise, experience and ability to handle that risk best.

**Reference Concept Design (RCD):** Conceptual design created by Metrolinx and their Technical Advisor as part of the bid package (Request for Proposals) to determine specific project requirements. The RCD identifies necessary property acquisition, informs Project Specific Output Specification drafting, and provides proof-of-concept solution to bidders (“Proponents”) and Stakeholders.

**Subsurface Utility Engineering (SUE):** a branch of engineering practice involving classifying and reducing the uncertainty of the presence and location of underground utility infrastructure by delivering data about that infrastructure. For example, reports and utility mapping at appropriate Utility Quality Levels, and using this data for purposes including utility coordination, utility relocation design and coordination, utility condition assessment, communication of utility data to concerned parties, utility relocation cost estimates, implementation of utility accommodation policies, and utility design.

**Utility Baseline Document (UBD):** Mechanism for risk sharing between Metrolinx and a Project Co. Document sets out scope, duration and upside cost for Utility Work that cannot be performed by Project Co. Regime is documented within Project Agreement for work that is of a significant value or impacts schedule. Contents of UBD are developed through collaboration between Utility Company and Metrolinx during development of Project Specific Output Specification (PSOS) and RCD.

**Utility Company:** A municipal corporation or commissions or company or individual operating or using communications services, water services or sewage services, or transmitting, distributing or supplying any substance or form of energy for light, heat or power (as defined in the Act).

**Utility Infrastructure:** poles, wires, cables including fibre-optic cables, conduits, towers, transformers, pipes, pipelines or any other works, structures or appliances place over, on or under land or water by a Utility Company (as defined in the Act).



### Acronyms/Business Terms:

| Acronym        | Description                                     |
|----------------|-------------------------------------------------|
| <b>BTFA</b>    | Building Transit Faster Act                     |
| <b>Cat. 1</b>  | Category 1 (Self-performed work as per the UBD) |
| <b>CCM</b>     | Commercially Confidential Meetings              |
| <b>CUCP</b>    | Composite Utility Coordination Plan             |
| <b>EA</b>      | Environmental Assessment                        |
| <b>FC</b>      | Financial Close                                 |
| <b>GTHA</b>    | Greater Toronto and Hamilton Area               |
| <b>IFC</b>     | Issued for Construction                         |
| <b>IO</b>      | Infrastructure Ontario                          |
| <b>LPAT</b>    | Local Planning Appeal Tribunal                  |
| <b>MCR</b>     | Municipal Consent Requirements                  |
| <b>Mx</b>      | Metrolinx                                       |
| <b>NDA</b>     | Non-Disclosure Agreement                        |
| <b>O&amp;M</b> | Operation and Maintenance                       |
| <b>OE</b>      | Owners Engineer                                 |
| <b>P3</b>      | Public Private Partnership                      |
| <b>PA</b>      | Project Agreement                               |
| <b>P. Co.</b>  | Project Company                                 |
| <b>PSOS</b>    | Project Specific Output Specifications          |
| <b>PSWHA</b>   | Public Service Works on Highways Act            |
| <b>PUCC</b>    | Public Utilities Coordinating Committee         |
| <b>RCD</b>     | Reference Concept Design                        |
| <b>RFI</b>     | Request for Information                         |
| <b>RFP</b>     | Request for Proposal                            |
| <b>RFQ</b>     | Request for Qualifications                      |
| <b>RoW</b>     | Right of Way                                    |
| <b>SUE</b>     | Subsurface Utility Engineering                  |
| <b>TA</b>      | Technical Advisor                               |
| <b>TAC</b>     | Transportation Association of Canada            |
| <b>TPAP</b>    | Transit Project Assessment Process              |
| <b>UBD</b>     | Utility Baseline Document                       |
| <b>UC</b>      | Utility Company                                 |
| <b>UCL</b>     | Utility Coordination Lead (Mx)                  |
| <b>UPA</b>     | Utility Preparatory Activities                  |
| <b>URA</b>     | Utility Restriction Area                        |
| <b>UW</b>      | Utility Works                                   |

## Standardized Pre-Construction Estimate Forms

### Waste Water Utility Form

#### Pre-Construction Estimate Form For Waster Water Utilities

| Unit of                                     | I/R   | Part # | Install \  | Labor Unit              | Material Unit | Labor Cost | Material Cost | Salvage Value |
|---------------------------------------------|-------|--------|------------|-------------------------|---------------|------------|---------------|---------------|
| Measure                                     | Total |        | Retire Qty | Cost                    | Cost          |            |               |               |
| <b>General</b>                              |       |        |            |                         |               |            |               |               |
| Mobilization                                |       |        |            |                         |               |            |               |               |
| (insert line items here)                    | each  |        |            |                         |               |            |               |               |
| Overhead                                    |       |        |            |                         |               |            |               |               |
|                                             | each  |        |            |                         |               |            |               |               |
| Preparation                                 |       |        |            |                         |               |            |               |               |
|                                             | each  |        |            |                         |               |            |               |               |
| Rentals                                     |       |        |            |                         |               |            |               |               |
|                                             | each  |        |            |                         |               |            |               |               |
| Traffic Control                             |       |        |            |                         |               |            |               |               |
| <b>Earth Work</b>                           |       |        |            |                         |               |            |               |               |
| Concrete & Asphalt Removal                  |       |        |            |                         |               |            |               |               |
| (insert line item here)                     | s.m.  |        |            |                         |               |            |               |               |
| Curb, Gutter, etc.                          |       |        |            |                         |               |            |               |               |
|                                             | l.m.  |        |            |                         |               |            |               |               |
| Excavation and Backfill<br>for Structures   |       |        |            |                         |               |            |               |               |
|                                             | C.m.  |        |            |                         |               |            |               |               |
| Trench Excavation Protection                |       |        |            |                         |               |            |               |               |
| <b>Pipes</b>                                |       |        |            |                         |               |            |               |               |
| Open-Trench Gravity<br>Sanitary Sewer Pipe  |       |        |            |                         |               |            |               |               |
| (insert line items here)                    | l.m.  |        |            |                         |               |            |               |               |
| Open-Trench Pressure<br>Sanitary Sewer Pipe |       |        |            |                         |               |            |               |               |
|                                             | l.m.  |        |            |                         |               |            |               |               |
| Trenchless Pipes and Box<br>Culverts        |       |        |            |                         |               |            |               |               |
|                                             | l.m.  |        |            |                         |               |            |               |               |
| Open-Trench<br>Pipe<br>Encasement           |       |        |            |                         |               |            |               |               |
| <b>Appurtenances</b>                        |       |        |            |                         |               |            |               |               |
| Sanitary<br>Sewer<br>Appurtenanc<br>es      |       |        |            |                         |               |            |               |               |
|                                             | each  |        |            |                         |               |            |               |               |
| Manholes and Inlets                         |       |        |            |                         |               |            |               |               |
|                                             | each  |        |            |                         |               |            |               |               |
| Other                                       |       |        |            |                         |               |            |               |               |
| <b>Total</b>                                |       |        |            |                         |               |            |               |               |
| <b>Summary</b>                              |       |        |            |                         |               |            |               |               |
|                                             |       |        |            |                         |               |            |               |               |
|                                             |       |        |            |                         |               |            |               |               |
| Indirect Costs ( %)                         |       |        |            |                         |               |            |               | General       |
|                                             |       |        |            |                         |               |            |               |               |
| Total Install Cost                          |       |        |            | Total Install Man Hours |               |            |               | Lines         |
|                                             |       |        |            |                         |               |            |               |               |

|                                                                                                                                         |                          |                           |
|-----------------------------------------------------------------------------------------------------------------------------------------|--------------------------|---------------------------|
| Total Retire Cost                                                                                                                       | Total Retire Labor Hours | Appurtenances             |
| Total Salvage Value                                                                                                                     |                          |                           |
| Infrastructure Ontario & Metrolinx - Partnering to Modernize Ontario's Public Assets - Confidential when completed -<br>03/04/2020 V1.0 |                          | <b>TOTAL PROJECT COST</b> |

### Water Utility Form

#### Pre-Construction Estimate Form For Water Utilities

| Unit of Measure                            | I/R  | Part # | Install \ Retire Qty     | Labor Unit Cost | Material Unit Cost | Labor Cost | Material Cost | Salvage Value | Total         |
|--------------------------------------------|------|--------|--------------------------|-----------------|--------------------|------------|---------------|---------------|---------------|
| <b>General</b>                             |      |        |                          |                 |                    |            |               |               |               |
| Mobilization                               |      |        |                          |                 |                    |            |               |               |               |
| (insert line items here)                   | each |        |                          |                 |                    |            |               |               |               |
| Overhead                                   |      |        |                          |                 |                    |            |               |               |               |
|                                            | each |        |                          |                 |                    |            |               |               |               |
| Preparation                                |      |        |                          |                 |                    |            |               |               |               |
|                                            | each |        |                          |                 |                    |            |               |               |               |
| Rentals                                    |      |        |                          |                 |                    |            |               |               |               |
|                                            | each |        |                          |                 |                    |            |               |               |               |
| Traffic Control                            |      |        |                          |                 |                    |            |               |               |               |
| <b>Earth Work</b>                          |      |        |                          |                 |                    |            |               |               |               |
| Concrete & Asphalt Removal                 |      |        |                          |                 |                    |            |               |               |               |
| (insert line items here)                   | s.f. |        |                          |                 |                    |            |               |               |               |
| Curb, Gutter, etc.                         |      |        |                          |                 |                    |            |               |               |               |
|                                            | l.f. |        |                          |                 |                    |            |               |               |               |
| Excavation and Backfill for Structures     |      |        |                          |                 |                    |            |               |               |               |
| <b>Pipes</b>                               |      |        |                          |                 |                    |            |               |               |               |
| Open-Trench Water Pipe                     |      |        |                          |                 |                    |            |               |               |               |
| (insert line items here)                   | l.f. |        |                          |                 |                    |            |               |               |               |
| Trenchless Pipes and Box Culverts          |      |        |                          |                 |                    |            |               |               |               |
|                                            | l.f. |        |                          |                 |                    |            |               |               |               |
| Open-Trench Pipe Encasement                |      |        |                          |                 |                    |            |               |               |               |
|                                            | l.f. |        |                          |                 |                    |            |               |               |               |
| Adjusting & Relocating Water Pipes         |      |        |                          |                 |                    |            |               |               |               |
| <b>Appurtenances</b>                       |      |        |                          |                 |                    |            |               |               |               |
| Adjusting or Relocating Pipe Appurtenances |      |        |                          |                 |                    |            |               |               |               |
| (insert line items here)                   | each |        |                          |                 |                    |            |               |               |               |
| Manholes and Inlets                        |      |        |                          |                 |                    |            |               |               |               |
|                                            | each |        |                          |                 |                    |            |               |               |               |
| Water Appurtenances                        |      |        |                          |                 |                    |            |               |               |               |
|                                            | each |        |                          |                 |                    |            |               |               |               |
| Other                                      |      |        |                          |                 |                    |            |               |               |               |
| <b>Total</b>                               |      |        |                          |                 |                    |            |               |               |               |
| <b>Summary</b>                             |      |        |                          |                 |                    |            |               |               |               |
|                                            |      |        |                          |                 |                    |            |               |               |               |
| Indirect Costs ( % )                       |      |        |                          |                 |                    |            |               |               | General       |
|                                            |      |        |                          |                 |                    |            |               |               |               |
| Total Install Cost                         |      |        | Total Install Man Hours  |                 |                    |            |               |               | Lines         |
|                                            |      |        |                          |                 |                    |            |               |               |               |
| Total Retire Cost                          |      |        | Total Retire Labor Hours |                 |                    |            |               |               | Appurtenances |
|                                            |      |        |                          |                 |                    |            |               |               |               |
| Total Salvage Value                        |      |        |                          |                 |                    |            |               |               |               |

Infrastructure Ontario & Metrolinx - Partnering to Modernize Ontario's Public Assets - Confidential when completed -  
03/04/2020 V1.0

**TOTAL PROJECT COST**

### Gas Utility Form

#### Pre-Construction Estimate Form For Gas Utilities

| Unit of                                    | I/R<br>Total<br>Cost | Measure | Part # | Install \ | Labor Unit<br>Retire Qty | Material Unit | Labor Cost | Material Cost | Salvage Value<br>Cost |
|--------------------------------------------|----------------------|---------|--------|-----------|--------------------------|---------------|------------|---------------|-----------------------|
| <b>General</b>                             |                      |         |        |           |                          |               |            |               |                       |
| Mobilization                               |                      |         |        |           |                          |               |            |               |                       |
| (insert line items here)                   |                      | each    |        |           |                          |               |            |               |                       |
| Overhead                                   |                      |         |        |           |                          |               |            |               |                       |
|                                            |                      | each    |        |           |                          |               |            |               |                       |
| Preparation                                |                      |         |        |           |                          |               |            |               |                       |
|                                            |                      | each    |        |           |                          |               |            |               |                       |
| Rentals                                    |                      |         |        |           |                          |               |            |               |                       |
|                                            |                      | each    |        |           |                          |               |            |               |                       |
| Traffic Control                            |                      |         |        |           |                          |               |            |               |                       |
| <b>Earth Work</b>                          |                      |         |        |           |                          |               |            |               |                       |
| Concrete & Asphalt Removal                 |                      |         |        |           |                          |               |            |               |                       |
| (insert line item here)                    |                      | s.m.    |        |           |                          |               |            |               |                       |
| Curb, Gutter, etc.                         |                      |         |        |           |                          |               |            |               |                       |
|                                            |                      | l.m.    |        |           |                          |               |            |               |                       |
| Excavation and Backfill for Structures     |                      |         |        |           |                          |               |            |               |                       |
|                                            |                      | C.m.    |        |           |                          |               |            |               |                       |
| Trench Excavation Protection               |                      |         |        |           |                          |               |            |               |                       |
| <b>Pipes</b>                               |                      |         |        |           |                          |               |            |               |                       |
| Trenchless Pipes and Box Culverts          |                      |         |        |           |                          |               |            |               |                       |
|                                            |                      | l.m.    |        |           |                          |               |            |               |                       |
| Open-Trench Pipe Encasement                |                      |         |        |           |                          |               |            |               |                       |
|                                            |                      | l.m.    |        |           |                          |               |            |               |                       |
| Adjusting & Relocating Gas Pipes           |                      |         |        |           |                          |               |            |               |                       |
| <b>Appurtenances</b>                       |                      |         |        |           |                          |               |            |               |                       |
| Adjusting or Relocating Pipe Appurtenances |                      |         |        |           |                          |               |            |               |                       |
| (Insert line items here)                   |                      | each    |        |           |                          |               |            |               |                       |
| Manholes and Inlets                        |                      |         |        |           |                          |               |            |               |                       |
|                                            |                      | each    |        |           |                          |               |            |               |                       |
| Other                                      |                      |         |        |           |                          |               |            |               |                       |
| <b>Total</b>                               |                      |         |        |           |                          |               |            |               |                       |

| <b>Summary</b>       |                          |               |         |
|----------------------|--------------------------|---------------|---------|
|                      |                          |               |         |
| Indirect Costs ( % ) |                          |               | General |
| Total Install Cost   | Total Install Man Hours  | Lines         |         |
| Total Retire Cost    | Total Retire Labor Hours | Appurtenances |         |
| Total Salvage Value  |                          |               |         |



## Communication Utility Form

### Pre-Construction Estimate Form for Communication Utilities

[illegible]

## Summary

|                      |  |                          |  |               |
|----------------------|--|--------------------------|--|---------------|
| Summary              |  |                          |  |               |
|                      |  |                          |  |               |
| Indirect Costs ( % ) |  |                          |  | General       |
| Total Install Cost   |  | Total Install Man Hours  |  | Lines         |
|                      |  |                          |  |               |
| Total Retire Cost    |  | Total Retire Labor Hours |  | Appurtenances |
| Total Salvage Value  |  |                          |  |               |





### Power Utility Form

#### Pre-construction Estimate Form for Power Utilities

| Unit of Measure                                       | I/R Total | Part # | Install \ Retire Qty | Labor Unit Cost | Material Unit Cost | Labor Cost | Material Cost | Salvage Value |
|-------------------------------------------------------|-----------|--------|----------------------|-----------------|--------------------|------------|---------------|---------------|
| <b>General</b>                                        |           |        |                      |                 |                    |            |               |               |
| Mobilization                                          | each      |        |                      |                 |                    |            |               |               |
| Overhead                                              | each      |        |                      |                 |                    |            |               |               |
| Preparation                                           | each      |        |                      |                 |                    |            |               |               |
| Rentals                                               | each      |        |                      |                 |                    |            |               |               |
| Traffic Control                                       |           |        |                      |                 |                    |            |               |               |
| <b>Lines</b>                                          |           |        |                      |                 |                    |            |               |               |
| Above Ground Conduit Structures                       |           |        |                      |                 |                    |            |               |               |
| (Insert line item here )                              | l.m       |        |                      |                 |                    |            |               |               |
| Open-Trench Conduit Structures                        |           |        |                      |                 |                    |            |               |               |
|                                                       | l.m       |        |                      |                 |                    |            |               |               |
| Open-Trench Pipe and Conduit Structures Encasement    |           |        |                      |                 |                    |            |               |               |
|                                                       | each      |        |                      |                 |                    |            |               |               |
| Pole Transformers                                     |           |        |                      |                 |                    |            |               |               |
|                                                       | each      |        |                      |                 |                    |            |               |               |
| Trenchless Pipe, Conduit Structures, and Box Culverts |           |        |                      |                 |                    |            |               |               |
| <b>Appurtenances</b>                                  |           |        |                      |                 |                    |            |               |               |
| Adjusting Manholes and Inlets                         |           |        |                      |                 |                    |            |               |               |
| (insert line items here)                              | each      |        |                      |                 |                    |            |               |               |
| Bolts and Fasteners                                   |           |        |                      |                 |                    |            |               |               |
|                                                       | each      |        |                      |                 |                    |            |               |               |
| Cable Vaults                                          |           |        |                      |                 |                    |            |               |               |
|                                                       | each      |        |                      |                 |                    |            |               |               |
| Fuses and Accessories                                 |           |        |                      |                 |                    |            |               |               |
|                                                       | each      |        |                      |                 |                    |            |               |               |
| Ground Boxes/Rods                                     |           |        |                      |                 |                    |            |               |               |
|                                                       | each      |        |                      |                 |                    |            |               |               |
| Guy Wires/Anchors                                     |           |        |                      |                 |                    |            |               |               |
|                                                       | l.m       |        |                      |                 |                    |            |               |               |
| Manholes and Inlets                                   |           |        |                      |                 |                    |            |               |               |
|                                                       | each      |        |                      |                 |                    |            |               |               |
| Poles                                                 |           |        |                      |                 |                    |            |               |               |
|                                                       | each      |        |                      |                 |                    |            |               |               |
| Other                                                 |           |        |                      |                 |                    |            |               |               |
| <b>Total</b>                                          |           |        |                      |                 |                    |            |               |               |

| Summary              |  |                          |               |
|----------------------|--|--------------------------|---------------|
|                      |  |                          |               |
| Indirect Costs ( % ) |  | General                  |               |
| Total Install Cost   |  | Total Install Man Hours  | Lines         |
| Total Retire Cost    |  | Total Retire Labor Hours | Appurtenances |
| Total Salvage Value  |  |                          |               |

Infrastructure Ontario & Metrolinx - Partnering to Modernize Ontario's Public Assets - Confidential when completed -  
03/04/2020 V1.0

**TOTAL PROJECT COST**

## Utility Relocation Letter Templates

## LETTER (1)

### Consultant Notification Project Initiation

Re: W.P. No.:  
Contract No.:  
Location:

RE:

Please be advised that ( *insert Consultant* ) has been named Technical Advisor for Metrolinx and has been assigned the task of identification of utility relocations involved with this project.

Your co-operation with this consulting firm in providing the information required is anticipated and appreciated. If you have any questions, do not hesitate to call the undersigned.

Yours truly,

Project

Manager/Engineer

c: Consultant  
Technical Services Representative

**LETTER (2)****Reference Concept Design Initiation**

CONFIDENTIAL

RE:

Metrolinx is initiating a Reference Concept Design study for the following project on ( *locations* ). WORK PROJECT:

PROJECT LOCATION:

REMARKS (e.g. schedule details, etc.):

Please provide the following preliminary information:

PRIMARY OWNER:

APPROXIMATE LOCATION:

AWARENESS OF OTHER UTILITIES:

PERSONNEL ASSIGNED TO THE PROJECT:

The above information is required so that utility impacts may be considered when reviewing potential transit improvements. The timing and details of this transit project are strictly CONFIDENTIAL.

Yours truly,

Metrolinx Consultant

c:      Technical Services Representative Project Manager

**LETTER (5A)****Composite Utility Coordination and Conceptual Cost Estimate(s)**

(Insert Utility Address)

(Insert Date)

REGISTERED

Re: W.P. No.:

Contract No.:

Location:

We are sending, under separate cover, ( ) sets of plans of the above described work project, with existing utilities and anticipated conflicts based on our initial reference concept design.

We propose to hold a meeting at ( *insert time* ) on ( *date* ) meeting at ( *location* ). ( *insert other utility companies* ) have also been requested to attend this meeting.

Please examine the attached plans for corrections or omissions, and conflicts with proposed construction. After the meeting, you will be requested to plot your proposed relocation and return sets of plans to this office by ( *insert date - allow\_ weeks* ) giving existing and proposed depth of plant, where applicable.

Include in your submission, a conceptual cost estimate and duration of work in order that we may establish a cost- effective relocation strategy. Please advise if these dates are attainable.

Other utility companies notified are:

(Insert Other Utility Companies)

Yours truly,

Metrolinx

c: Technical Services Representative Project Manager

**LETTER (5B)****Composite Utility Coordination and Preliminary Cost Estimate(s)**

(Insert Utility Address)

(Insert Date)

REGISTERED

Re: W.P. No.:

Contract No.:

Location:

We are sending, under separate cover, ( ) sets of plans of the above described work project, with existing utilities and anticipated conflicts based on our initial reference concept design.

We propose to hold a meeting at ( *insert time* ) on ( *date* ) meeting at ( *location* ). ( *insert other utility companies* ) have also been requested to attend this meeting.

Please examine the attached plans for corrections or omissions, and conflicts with proposed construction. After the meeting, you will be requested to plot your proposed relocation and return sets of plans to this office by ( *insert date - allow\_ weeks* ) giving existing and proposed depth of plant, where applicable.

Include in your submission, a preliminary cost estimate and duration of work in order that we may establish a cost-effective relocation strategy. Please advise if these dates are attainable.

Other utility companies notified are:

(Insert Other Utility Companies)

Yours truly,

Project Company

c: Technical Services Representative

Metrolinx



**LETTER (7A)****Relocation Notification and BTFA Act**

THE *BUILDING TRANSIT FASTER ACT 2020* ( *insert chapter* ) and Amendments thereto

Notice to Take-Up, Remove or Change the Location of Appliances or Works

REGISTERED MAIL

Date:

TO:

Dear \_\_\_\_\_:

Re: W.P. No.:

Contract No.:

Location:

Pursuant to the above Act you, are hereby notified to take-up, remove or change the location of your appliances or work on or before the ( ) day of ( year ).

If you fail to take-up, remove or change the location of your appliances or works by the above date, Metrolinx shall claim compensation, according to the Act, for any loss or expense that it incurs as a result of your default.

In order to avoid any misunderstanding in the future, Metrolinx intends to strictly enforce the provisions of the above Act. If you fail to take up, remove or change the location of your appliances or works by the date specified in the notice dated ( *insert date* ) that was given to you, and Metrolinx incurs a loss or expense by reason thereof, then Metrolinx will claim due compensation from you.

Your co-operation is anticipated and appreciated.

Yours truly,

Technical Services Representative

c: Project Manager

Head of Construction Admin

**LETTER (7B)**  
**30 Day Buffer Period Notice**

(Insert Address)

(Insert Date)

Re: W.P. No.:

Contract No.:

Location:

This is a formal notice indicating that you have now entered the 30-day period leading up to the date by which all work pertaining to *(Name and date of Letter 7 previously sent)* must be complete. If there are any currently unaddressed setbacks hindering your ability to complete the work within this 30-day period, you are required to proclaim them immediately upon receipt of this notice.

Yours truly,

Technical Services Representative

c: Project Manager

**LETTER (8)****Suffer a Loss or Expense**

(Insert Address)

(Insert Date)

REGISTERED MAIL

Re: W.P. No.:

Contract No.:

Location:

You are hereby notified that Metrolinx has suffered a loss or expense and will continue to suffer a loss or expense so long as you continue to be in default with not meeting the deadline in taking up, removing or changing the location of your appliances or works.

Kindly govern yourselves accordingly,

Yours truly,

Technical Services Representative

c: Project Manager

**LETTER (9)****Notification of Intent to Claim**

(Insert Address)

(Insert Date)

Re: W.P. No.:

Contract No.:

Location:

This is to advise you that the Contractor has now filed a Notification of Intent to Claim with Metrolinx based on your default in taking up, removing or changing the location of your appliances or works by the required date.

We shall be in touch with you once the amount of the claim has been determined.

Yours truly,

Technical Services Representative

c: Field Services Engineer

**LETTER (10)****Final Payment Minus Loss**

(Insert Address)

(Insert Date)

Re: W.P. No.:

Contract No.:

Location:

Enclosed please find a copy of your payment certificate confirming payment in the amount of ( \$ ) in accordance with your invoice.

Please note that since you did not take-up, remove or change the location of your appliances or works by the required date, this payment is made on the clear understanding that it is without prejudice to Metrolinx's rights to claim compensation from you for the delay. Your endorsement of the cheque shall constitute acceptance of this condition.

Yours truly,

Field Services Engineer or Section Head (Central Region)

c: Technical Services Representative

**LETTER (11)****Meeting Attendance Request**

(Insert Address)

(Insert Date)

Re: W.P. No.:

Contract No.:

Location:

Your attendance has been requested for the below project meeting:

Meeting Name:

Attendees:

Meeting Time:

Meeting Location:

It is the expectation that you, or an adequate representative, will be in attendance of this meeting unless a justified reason is provided within ( *days* ) of receiving this notice.

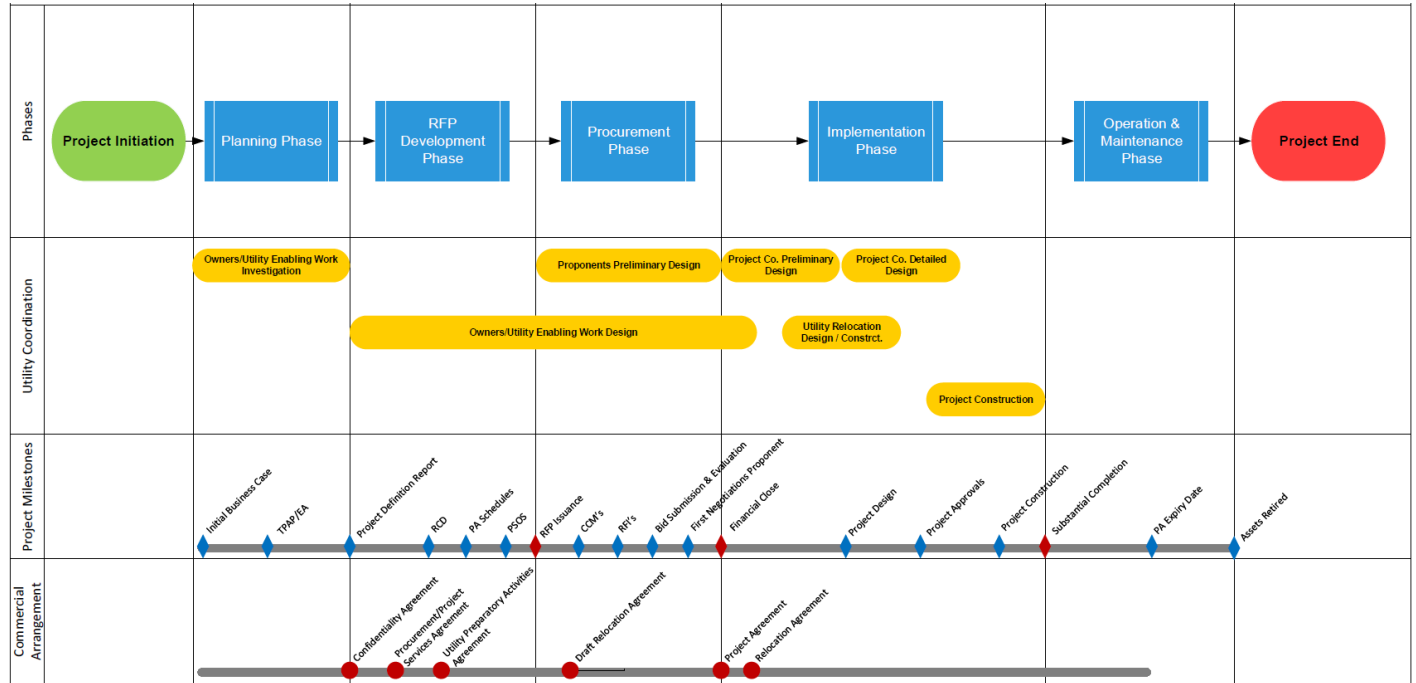
Yours truly,

Technical Services Representative

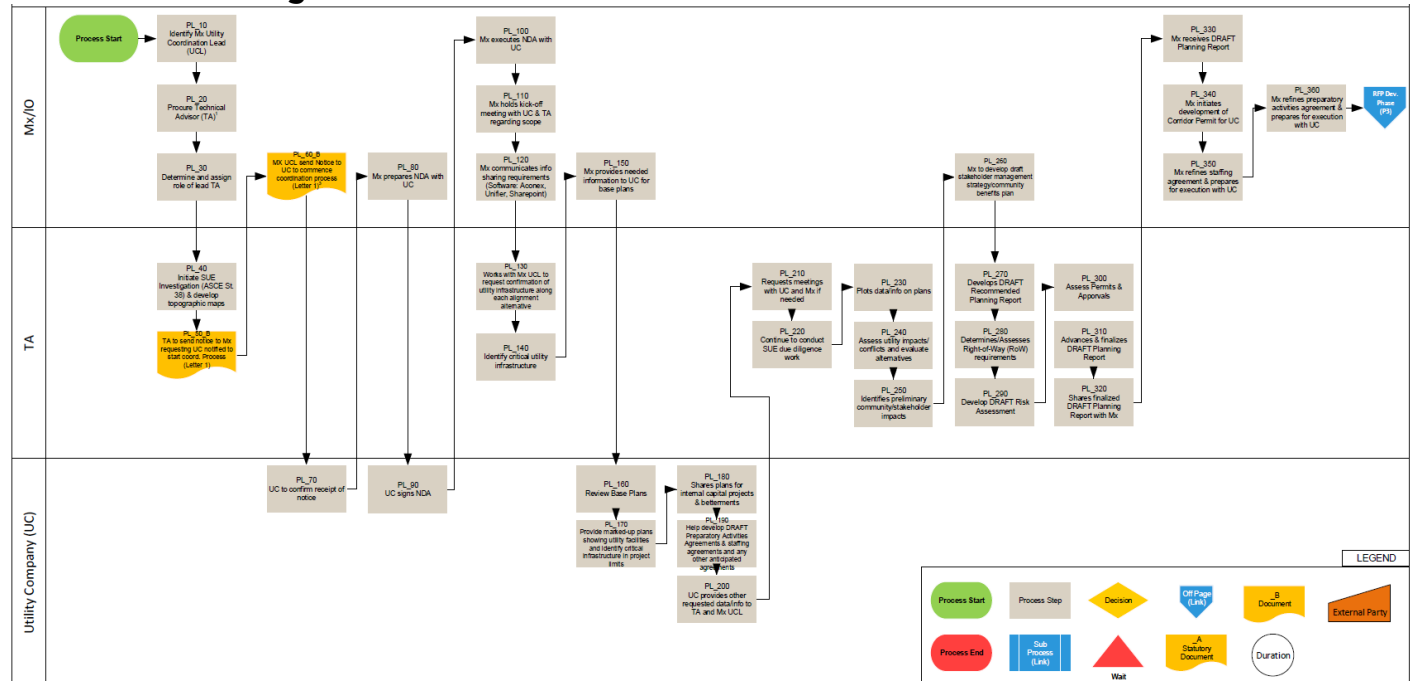
c: Project Manager

## BTFA Utility Coordination Process Flow Diagrams

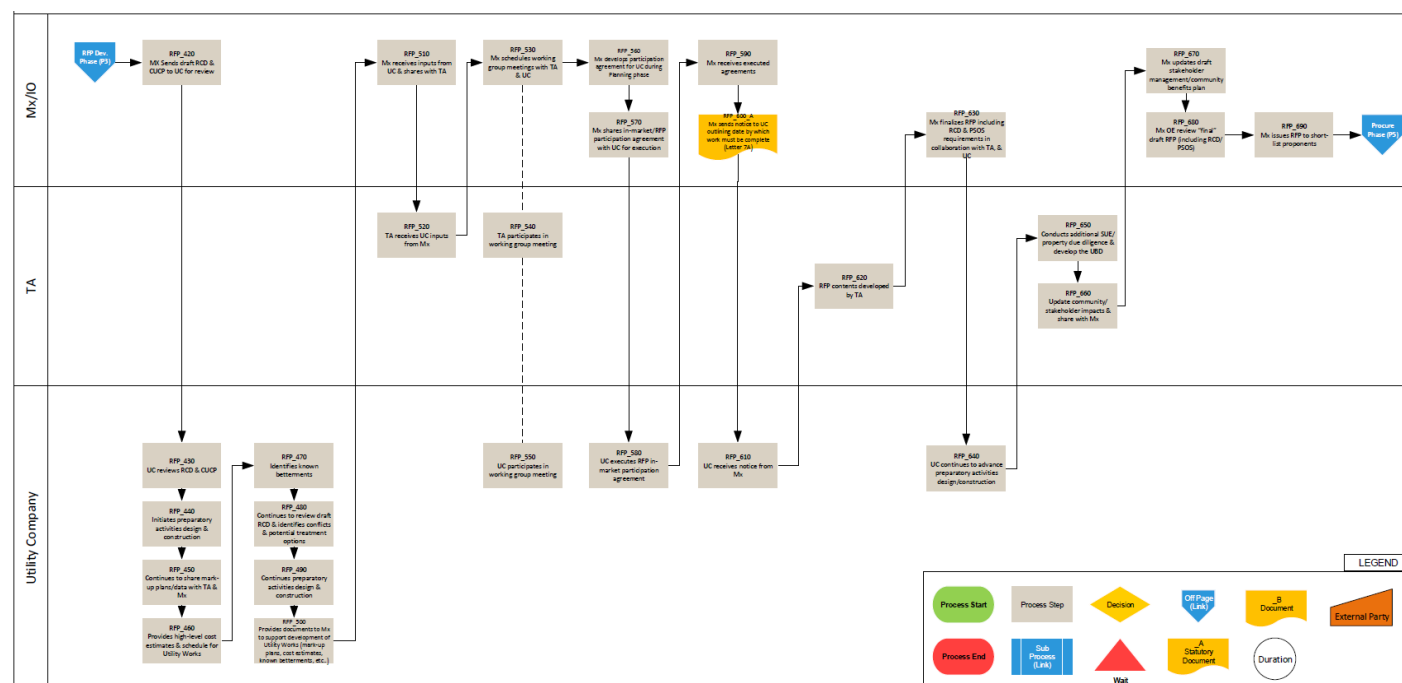
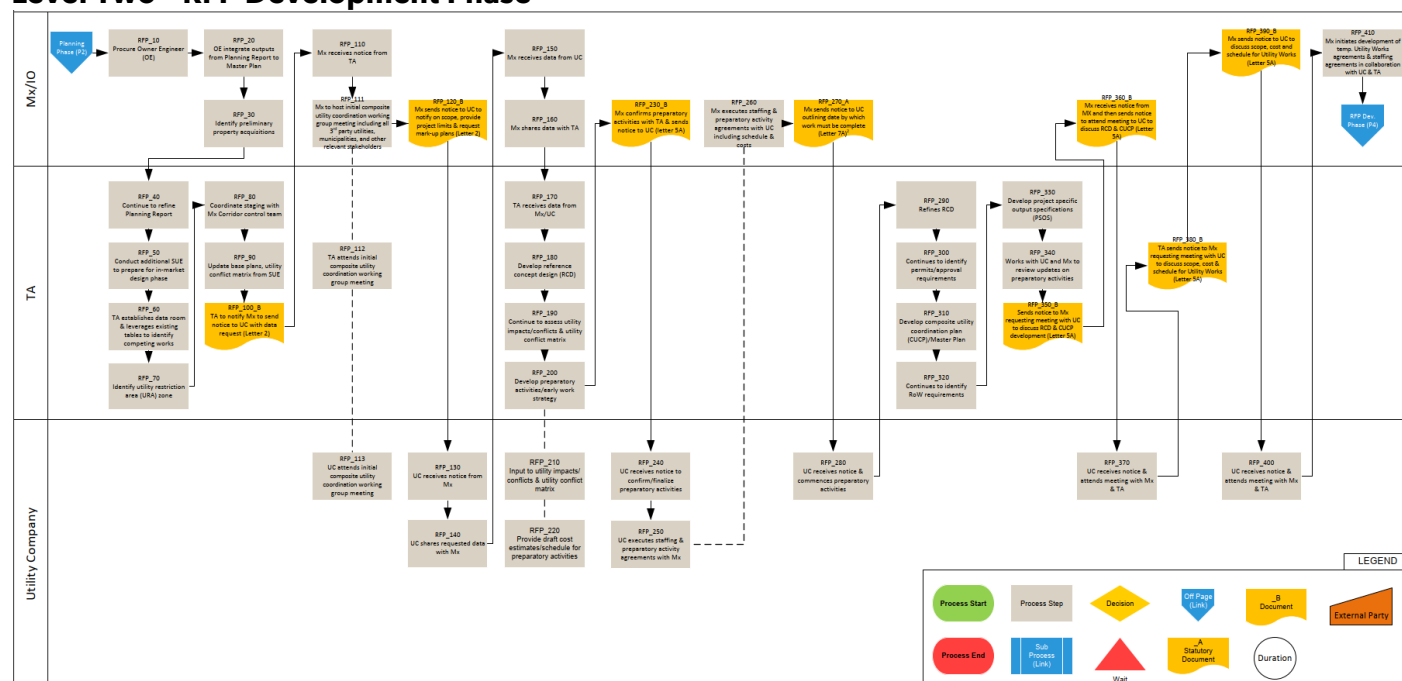
### Level One - Process Overview



### Level Two - Planning Phase

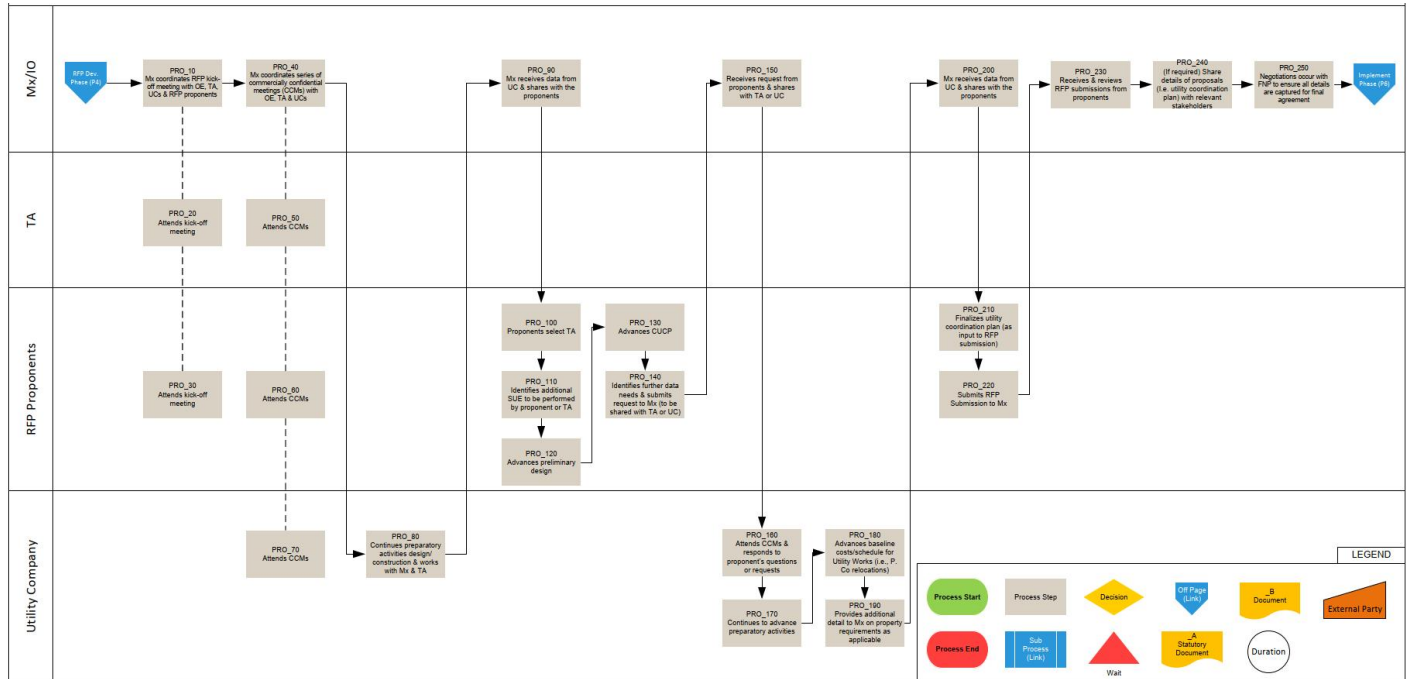


## Level Two - RFP Development Phase

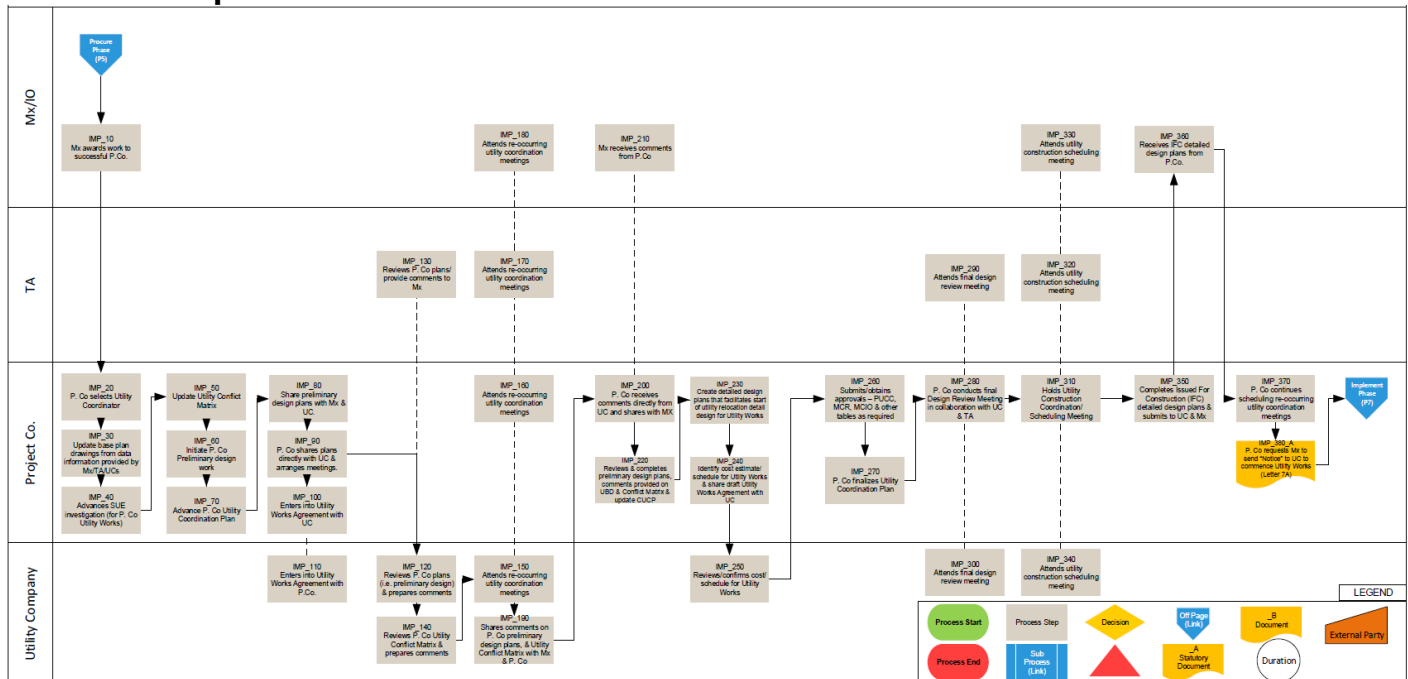


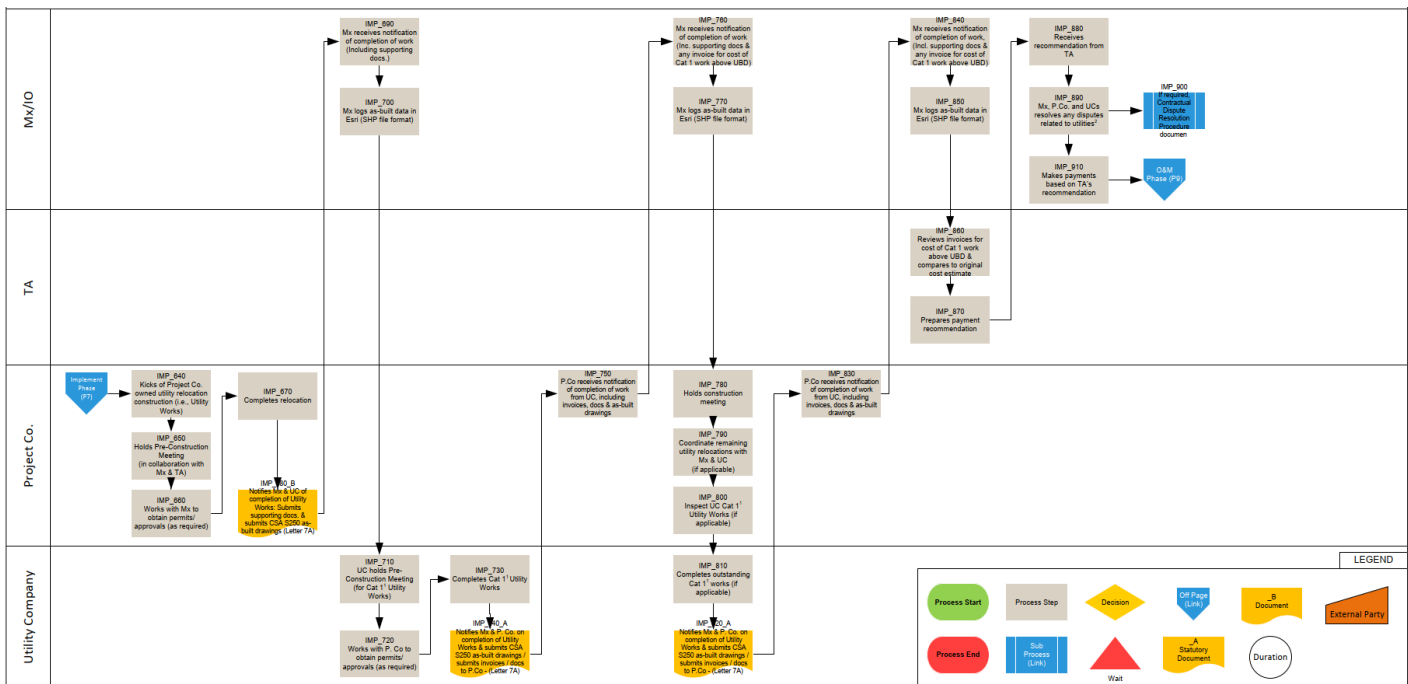
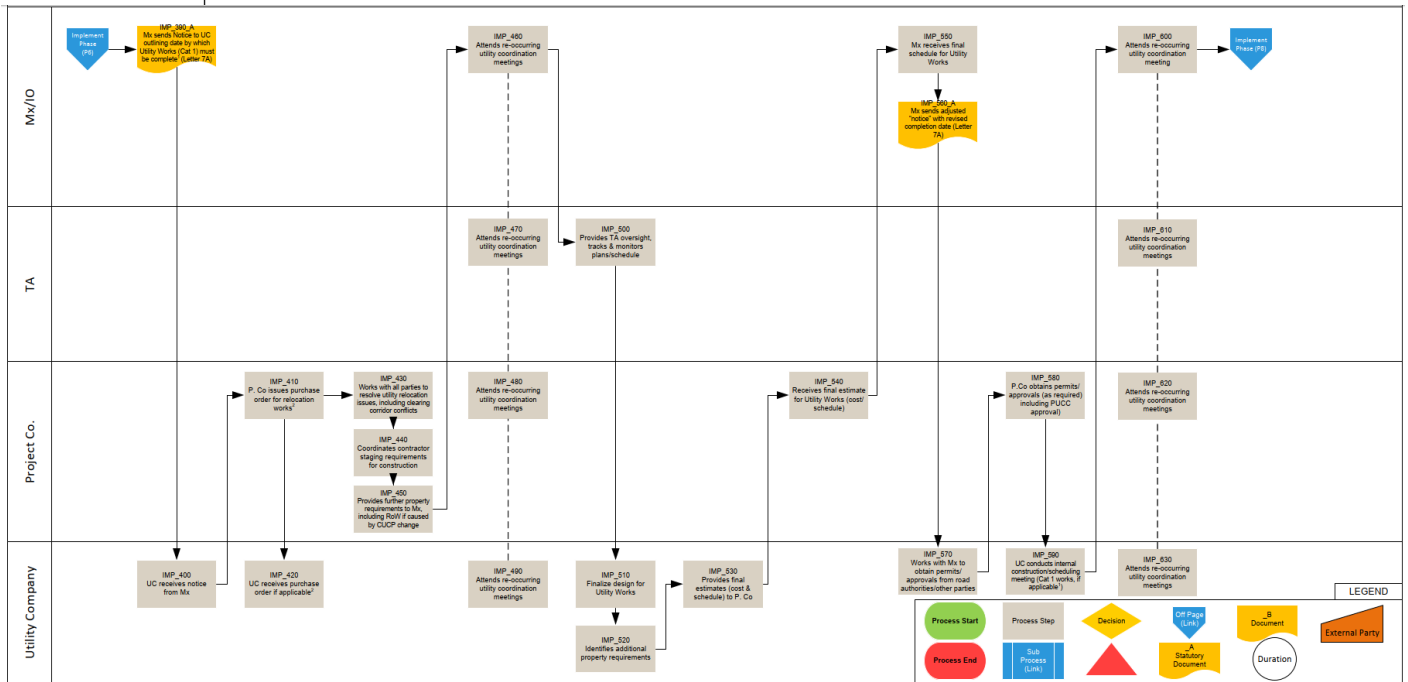


## Level Two - Procurement Phase

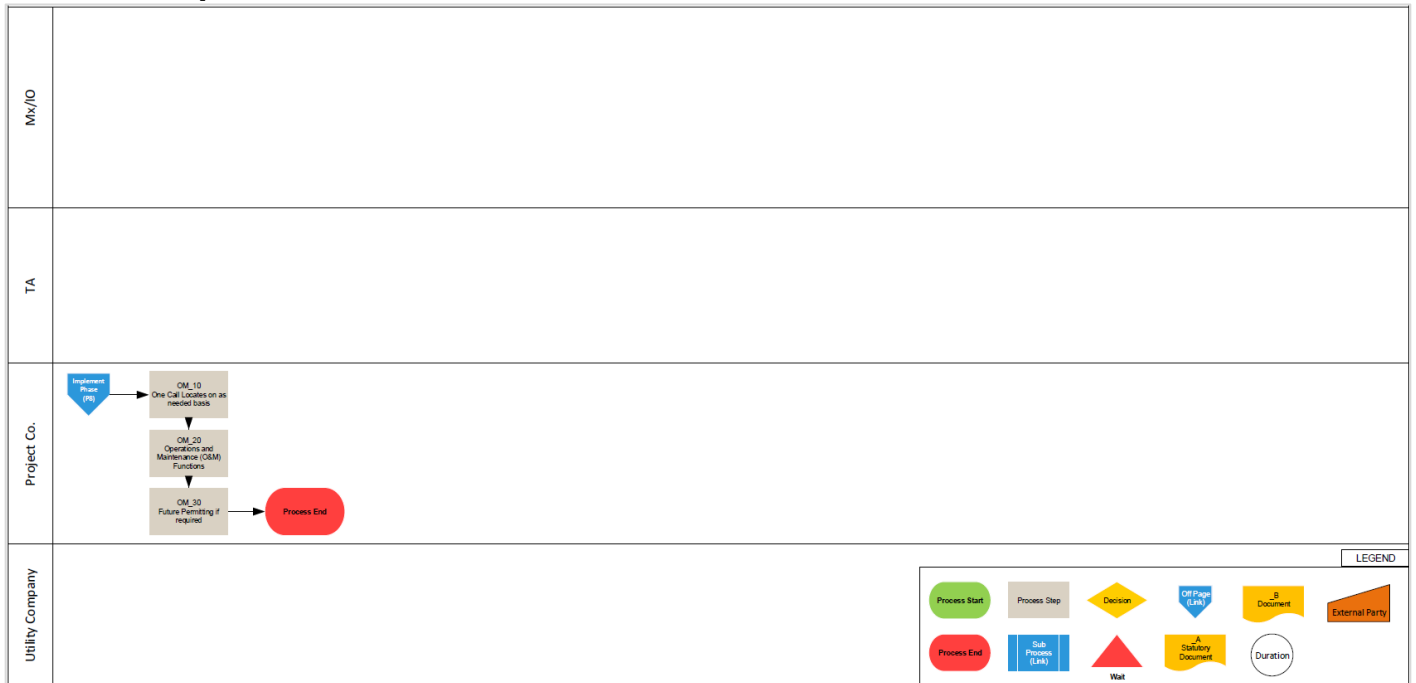


## Level Two - Implementation Phase





## Level Two - Operation & Maintenance Phase



## Contractual Dispute Resolution Procedure

