

RE: NORTH ROAD GRADE SEPARATION

ITEM	7
MANAGER'S REPORT NO.	27
COUNCIL MEETING	1983 04 11

ACTING MUNICIPAL MANAGER'S RECOMMENDATION:

1. *THAT the recommendation of the Director Engineering be adopted.*

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TO: MUNICIPAL MANAGER

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FROM: DIRECTOR ENGINEERING

SUBJECT: NORTH ROAD OVERHEAD

RECOMMENDATION:

1. THAT Bylaw No. 8048, being "Burnaby North Road Widening Bylaw 1983", and Bylaw No. 8050, being "Burnaby Capital Works, Machinery and Equipment Reserve Fund Bylaw No. 3, 1983", be now considered for first, second and third readings.

I BACKGROUND

Council is aware that the Honorable Alex V. Fraser, Minister of Transportation and Highways, Province of British Columbia, has announced that his Ministry will provide grants for the Provincial Share of a new railway overpass on North Road over the Burlington Northern Railway.

II REPORT

- A. Agreement and Bylaw under Section 237 of the Municipal Act

Section 237 of the Municipal Act stipulates that an agreement entered into to jointly exercise a power conferred by the Act is not valid until ratified by a Bylaw adopted by a vote of not less than two-thirds of all the members of the Council. An agreement satisfactory to the Municipal Solicitors of both Burnaby and Coquitlam forms Attachment I to this report. The requisite Bylaw, No. 8048, "Burnaby North Road Widening Bylaw 1983" appears on tonight's Council Agenda for first, second, and third readings.

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B. Project Financing

The estimated cost of the project is \$2,168,212, as follows: **131**

Estimated Cost of Project

\$2,168,212

Funded by:

U.T.A.P. (Government of Canada)
B.N.Inc.

946,365
156,250
1,065,597

Balance to be funded by:

Province of British Columbia (50%)
Burnaby (25%)
Coquitlam (25%)

532,799
266,399
266,399

It is proposed to borrow the full project amount from the Burnaby Capital Works, Machinery and Equipment Fund to temporarily finance the non-Burnaby portion of the expenditures, until they are recovered from the other participants. These financing details are incorporated in "Burnaby Capital Works, Machinery and Equipment Reserve Fund Bylaw No. 3, 1983" which appears on tonights Council Agenda for first, second and third readings.

C. Further Approvals Required

Time is of the essence in proceeding with the required contract in order for the work to be completed by the U.T.A.P. deadline of 1984 March 31; advertisements are already out inviting tenders to be submitted by 1983 May 05. The contract can not be awarded until both Bylaws (and the corresponding ones in Coquitlam) have received final readings.

All four Bylaws require the approval of the Minister of Municipal Affairs and we will proceed immediately to seek such approval.


DIRECTOR ENGINEERING

EEO/ch

Att.

c.c. () Director Finance
() District of Coquitlam

THIS AGREEMENT made the day of April, 1983

BETWEEN:

THE CORPORATION OF THE DISTRICT OF BURNABY
4949 Canada Way
Burnaby, British Columbia
V5G 1M2

(hereinafter called "Burnaby")

OF THE FIRST PART

AND:

THE DISTRICT OF COQUITLAM
1111 Brunette Avenue
Coquitlam, British Columbia
V4K 1E9

(hereinafter called "Coquitlam")

OF THE SECOND PART

WHEREAS North Road is located upon the boundary between Burnaby and Coquitlam;

AND WHEREAS both parties are desirous that the railway overhead structure forming part of North Road be widened and improved;

AND WHEREAS the Canadian Transport Commission, by Order No. WDR-00559 dated November 17, 1981, has authorized the parties to reconstruct the said structure;

NOW THEREFORE the parties, in consideration of the covenants and agreements contained herein, mutually covenant and agree as follows:

1. Burnaby will carry out construction of a North Road railway overhead structure and bridge approaches in accordance with Burnaby contract #8312 and the plans and specifications included therein; or such amended plans, specifications and contracts as may be agreed upon in writing by Burnaby's Director Engineering and Coquitlam's Municipal Engineer.
2. For the purpose of this Agreement, "North Road railway overhead structure and bridge approaches" means

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- (a) that portion of North Road situated between a point approximately 50 metres south of the railway overhead structure and a point approximately 50 metres north of the railway overhead structure,
- (b) necessary traffic control measures including but not limited to signals, signs, paint markings and warning flashers,
- (c) drainage facilities required for the project,
- (d) grading of adjacent land to obtain road elevations,
- (e) relocation of utilities to facilitate construction,
- (f) construction of retaining walls, abutments, fences and barriers,
- (g) construction, maintenance and removal of detour roads during the course of construction,

all of which are collectively called the "Project".

3. Coquitlam agrees to pay to Burnaby fifty per cent (50%) of the costs of the Project, including costs of insurance coverage, after all grants, contributions and payments from Burlington Northern Incorporated and the governments of Canada and British Columbia have been applied to the said costs.

IN WITNESS WHEREOF the parties have caused their respective seals to be affixed under the hands of their proper officers duly authorized in that behalf as of the day and year first above written

SEALED WITH THE COMMON SEAL
OF THE DISTRICT OF COQUITLAM
AND SIGNED BY

SEALED WITH THE COMMON SEAL
OF THE CORPORATION OF THE
DISTRICT OF BURNABY AND
SIGNED BY

Municipal Clerk-Authorized Signatory