



Report to: Development Services Committee

Date of Report: May 22, 2011

SUBJECT: Reimbursement of Secondary Roadwork's and Associated Engineering Fees to Woodbine Cachet South Inc.
PREPARED BY: Kevin Young, Manager Municipal Inspections, ext 3050

RECOMMENDATION:

- 1) That the report entitled "Reimbursement of Secondary Roadwork's and Associated Engineering Fees to Woodbine Cachet South Inc." be received;
- 2) And that the reimbursement of secondary roadwork costs to Woodbine Cachet South Inc. in the amount of \$90,135.00 be funded from the Roads Reserve account # 087 2800132;
- 3) And that the reimbursement of engineering fees to Woodbine Cachet South Inc. in the amount of \$9,023.50 be funded from the Engineering Fees (Subdivision) account #640 998 8862, (former account #720 7218862);
- 4) And that Staff be authorized and directed to do all things necessary to give effect to this resolution:

PURPOSE:

To seek Councils authorization to reimburse Woodbine Cachet South Inc. for the prepaid secondary roadwork (top curb, final asphalt layer, sidewalk) and associated engineering fees for works performed by them on Cachet Woods Court within Plan of Subdivision 65M-3164.

BACKGROUND:

The Town entered into a Subdivision Agreement dated July 28, 1997 with Woodbine Cachet South Inc. (Metrus Developments Inc.) for the development of an Industrial Plan of Subdivision (Plan 65M-3184). Under the terms of the agreement, the developer prepaid to the Town \$90,135.00 being the cost of secondary road works (top curbs, final asphalt layer, sidewalk and associated works). This money was deposited by the Town into a roads reserve account #087 2800132 and was to be used by the Town in the future to complete the secondary roadwork. The developer was to be relieved from of any further obligation for the works.

In addition the developer prepaid to the Town, engineering fees associated with the secondary roadwork's in the amount of \$9,023.50, and was deposited to Engineering Fee Account #720 7218862.

In the fall of 2011 the Developer (Woodbine Cachet South Inc.) completed the secondary roadwork within the Plan of Subdivision including associated engineering/contract administration, not realizing that the value of said works had previously been prepaid to the Town to undertake the secondary roadwork.

The Developer is now seeking reimbursement of the original amounts paid in 1997 for the secondary roadworks in the amount of \$90,135.00 plus engineering fees in the amount of \$9,023.50. All secondary roadworks and associated engineering works have been completed by the Developer to the Town's satisfaction. Sufficient securities remain under the Developer's letters of credit to guarantee the works under the subdivisions maintenance period which commenced November 1, 2011.

FINANCIAL CONSIDERATIONS AND TEMPLATE:


The reimbursement of the original amount received has no negative financial impact to the Town as the works have been completed by the developer and the current value of the works exceed the amount of \$99,158.50 deposited with the Town.

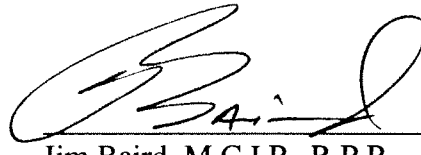
It is recommended that the reimbursement of the secondary roadwork costs in the amount of \$90,135.00 be funded from Roads Reserve Account #087 2800132 and that the reimbursement of the engineering fees in the amount of \$9,023.50 be funded from Engineering Fee (Subdivision) Account # 640 998 8862, (former account #720 7218862).

BUSINESS UNITS CONSULTED AND AFFECTED:

The Finance and Road Operations Department have reviewed and commented on this report

RECOMMENDED BY:


Alan Brown, C.E.T.
Director of Engineering


Jim Baird, M.C.I.P., R.P.P.
Commissioner, Development Services

ATTACHMENTS:

Attachment "A" Map - Cachet Woods Court