

Valley Line LRT

Public Engagement Plan

Recommendation:

That LRT Governance Board recommend to City Council:

That the Valley Line LRT - Public Engagement Plan as outlined in the June 19, 2014, Transportation Services report CR_1216rev, be received for information.

Report Summary

This report summarizes the City's approach to accountability, transparency and disclosure during the procurement stage of the Valley Line LRT. It also outlines the City's Communications and Public Engagement Plan of the Valley Line LRT for the procurement, construction, operational and maintenance periods.

Previous Council/Committee Action

At the March 19, 2014, Transportation Committee meeting, the following motion was passed:

That Administration:

- a) develop a public engagement plan that describes how the public, including the LRT Citizen Working Group, will be involved in the procurement and construction phases of the Valley LRT Line;
- b) implement that public engagement plan;
- c) provide a report through the LRT Governance Board to City Council.

At the April 17, 2014, LRT Governance Board meeting, the following motion was passed:

That the April 17, 2014, Transportation Services report CR_1216, be referred back to Administration to bring forward a public engagement plan that is more applicable for a P3 arrangement.

Report

Background

The City has engaged thousands of Edmontonians since 2009 on the planning and design of the Valley line LRT, in accordance with City policy. Based on that engagement and a range of other criteria, City Council has approved the project to be developed using a Public Private Partnership (P3) model.

Due to the nature of P3 procurement, it is necessary to consider a framework for accountability, transparency and disclosure to ensure an appropriate level of public

access to information and input into decisions, while at the same time protecting the City's commercial interests and taxpayer value for money.

Guiding Principles and Obligations

In establishing its framework for accountability, the City considered its main obligations to the three primary project stakeholders:

- the public
- private partners
- public funding partners

The framework sets out guiding principles that set the tone and approach to address the five key principles:

- disclosure
- openness and timeliness
- confidentiality
- risk management
- dialogue

See Attachment 1 - Accountability, Transparency and Disclosure Framework.

Most importantly, the Framework will allow the public and all project stakeholders to see which documents and decisions will be made available to the public, and in what time frame.

A separate but complementary plan for communications and public engagement has been developed based on the Accountability Framework (Attachment 2 - Communications and Public Engagement Plan) which sets out a comprehensive approach to engagement during the current procurement phase as well as during procurement operations and maintenance. It should be noted the plan approach will not re-open any discussion on route selection or overall design decisions.

Administration has considered the option of holding a non-statutory public hearing on the Request for Proposal and draft Project Agreement. A public hearing is not recommended for the following reasons:

Integrity of the Procurement Process – The three shortlisted proponents will invest significant resources engaging in the Request for Proposal process requirements and formulating their bids. Holding a public hearing on the Request for Proposal at this stage of the project may create a perception that the City is not fully committed to the project, the Request for Proposal, or the draft Project Agreement. As a result, Proponents may be unwilling to commit their resources to the Request for Proposal process. This would jeopardize the schedule and competitiveness of the procurement process.

Project Schedule - To meet the scheduled 2020 service commencement date, the Request for Proposal process must commence in September 2014, and the contract must be awarded by the end of 2015. A delay to the procurement schedule will also result in increased project costs due to escalation, estimated at approximately \$80 million per year.

Meaningful Engagement - The Request for Proposal and draft Project Agreement are complex and substantial legal documents which capture the feedback from extensive public involvement undertaken for the project to date. To have a meaningful public hearing process on the Request for Proposal and draft Project Agreement, that meets the expectations of the public, will require an extended length of time to allow for a public review period and a public education/awareness program. Such an extensive approach would commence in mid-August at the earliest (when the documentation is fully prepared). Rushing the public hearing prior to issuing the Request for Proposal in September would not meet the public's expectations of meaningful engagement and would not allow time for feedback to be incorporated into the Request for Proposal and draft Project Agreement without delaying the launch of the Request for Proposal and subsequently the project completion date.

For these reasons, and to ensure that the City continues to follow best practices for P3 procurement, a public hearing is not recommended. The remainder of this report outlines the proposed Public Engagement Plan for the procurement and construction and operations stages.

Communications and Public Engagement during Procurement Stage (present to Fall/Winter 2015)

The project is currently in the procurement stage. A Request for Qualification has been issued. The procurement stage will last until the preferred proponent is chosen and begins work on the project. The Request for Proposal is expected to be released in early Fall of 2014, with three bidders completing their responses over the next year and the preferred proponent to be chosen in fall/winter of 2015. Preparatory construction work is currently underway including utility relocations, access modifications, and building removals. Major construction work under the P3 contract is expected to begin in 2016.

During this phase of the project, communications and public engagement will be carried out by the City and will consist of information sharing, including:

- Describing how commitments already made in previous consultations are being addressed in the Request for Proposal and draft Project Agreement. See the Attachment 3 "Summary of Stakeholder Commitments"
- Facilitating the public release of information that will inform the Request for Proposal and related documents that can be released publicly, while balancing the obligations and principles required for an effective P3 procurement.

This information will be provided in several ways, involving web-based information, stakeholder communications, and meetings with Citizen Working Groups, which will be established for geographic zones along the Line. See Attachment 4 "Map of Citizen Working Groups".

An opportunity for the public to provide input during the procurement phase will be provided in the summer of 2014 via meetings with stakeholders and distribution of an intercept survey to support the development of a strategy for detours of River Valley trails and footbridge.

See Attachment 2 "Communications and Public Engagement Plan" for more information on communications and public engagement during procurement.

Communications and Public Engagement during Detailed Design and Construction (Fall 2015 to 2020)

During this phase of the project, communications and public engagement will largely be carried out by the proponent selected to implement the project (known as Project Co). In the Project Agreement, the City will outline the respective roles and responsibilities of the City and Project Co and describe the communications and public engagement requirements that proponents must address in their submissions.

See Attachment 2 "Communications and Public Engagement Plan" for a summary of the requirements for communications and public engagement that will form part of the final Project Agreement.

Communications and Public Engagement during Operations and Maintenance (2020 onwards)

The Project Agreement requires Project Co to provide a Communication and Public Engagement Plan that addresses the requirements during the operations and maintenance phase and specifically requires Project Co to prepare for and support the transition of activities between the construction and operations phase.

Policy

- C513 Public Involvement
- Bylaw 15101 - Being a Bylaw to Establish the Transportation System for the City of Edmonton

Corporate Outcomes

- Shift Edmonton's Transportation Modes.
- Edmonton has sustainable infrastructure that fosters and supports civic and community needs.
- The City has well-managed and sustainable assets and services.

- Increased Community engagement and responsibility.
- Ensure Edmonton's Financial Sustainability.
- Improve Edmonton's Livability.
- Transform Edmonton's Urban Form.

Attachments

1. Accountability, Transparency, and Disclosure Framework for the Valley Line LRT Procurement Stage
2. Valley Line Stage 1 (Millwoods to Downtown) Procurement to Operation: 2014-2020 Communications and Public Engagement Plan
3. Valley Line LRT - Stage 1 - Summary of Stakeholder Commitments
4. Map of Citizen Working Groups

Others Reviewing this Report

T. Webb, Chief Communications Officer, Office of the City Manager