

Committee of the Whole (1) Report

DATE: Tuesday, March 03, 2020

WARD(S): ALL

**TITLE: AGREEMENT FOR DRINKING WATER SAMPLING
LABORATORY SERVICES**

FROM:

Zoran Postic, Deputy City Manager, Public Works

ACTION: DECISION

Purpose

This report seeks Council approval for the Deputy City Manager, Public Works, to enter into a contract with the York Durham Environmental Laboratory (YDEL) to provide water testing and analysis for the City's water, wastewater and stormwater systems.

Report Highlights

- The City has been using the YDEL for water testing and analysis since 1992, including testing required to ensure regulatory compliance.
- YDEL is a public body, jointly owned and operated by the Regional Municipality of York and the Regional Municipality of Durham.
- Fees for the Laboratory's services are set by York and Durham's Regional Councils and are consistent for all users.
- Council approval is requested to enter into a formal service agreement with the YDEL to continue providing water testing services for the next five years.

Recommendations

1. That Council approve a five-year service agreement with YDEL to provide water testing services to the City.

Background

Ontario Regulation 170/03 made under the Safe Drinking Water Act mandates that sampling and testing of drinking water be completed by a provincially accredited laboratory.

The YDEL is a Ministry of Environment, Conservation and Parks (MECP) accredited laboratory and is wholly owned and operated by the Regional Municipalities of York and Durham.

Currently, eight of York Region's local municipalities exclusively use the YDEL for their water testing requirements. The City has been using the YDEL since it opened, in 1992.

To date, the City has not established a formal agreement with YDEL and as part of the management actions from the [2019 Water, Wastewater and Stormwater Audit](#), staff have evaluated available options.

To help address the management actions, staff recommend that a formal service agreement with the YDEL be established.

Previous Reports/Authority

No previous reports to Council or direction on this topic.

Analysis and Options

Ensuring the safe delivery of drinking water to citizens and businesses requires regular and consistent testing. Additionally, protection of the environment and compliance with the City's environmental compliance approvals, ad-hoc testing of wastewater and stormwater are also required on an as-needed basis.

More than four thousand drinking water samples are taken and analyzed each year to meet the requirements set out in O.reg 170/03 made under Safe Drinking Water Act 2002. Of these, approximately half of the samples taken are analyzed on site by City's MECP certified drinking water operators with the balance analyzed at YDEL.

Staff have reviewed the availability of other private lab service providers in the GTA. Through this review and discussions with other local York Regional municipalities, it has been determined that it would be beneficial for the City to continue its relationship with the YDEL and are recommending that a service agreement be developed to formalize the relationship, including service levels and pricing.

The following summarizes the benefits for the City to continue its arrangement with the YDEL to continue performing this testing and analysis for several reasons, including but not limited to the following:

1. YDEL is a regional municipal partnership, a public body, and its core function is to provide services to local areas and surrounding municipalities.
2. [Fee schedules](#) are approved by the Councils of the Regional Municipality of York and Regional Municipality of Durham and the same fee schedules apply to all users of the laboratory. Most of the fees have remained unchanged since 2016.
3. YDEL provides regular sample pick-up services (on Tuesdays and Thursdays) from the City's Joint Operations Centre at no additional cost to the City.
4. The laboratory's sample pick up staff are well trained to ensure integrity of the samples being transported to the laboratory and maintaining a clear chain of custody.
5. All microbiological and lead testing is performed in-house at the laboratory. This provides better control of samples and quality assurance in processing and analyzing samples. This avoids multiple trips to the testing location, helping to ensure the integrity of the City's regulatory samples and risks of non-compliance.
6. The laboratory provides additional test reports at no extra charge as may be required by the City, from time to time.
7. The services during normal business hours are equal to, or better, than those provided by others in the industry and the YDEL accepts and analyzes samples on statutory holidays/weekends at no additional cost.
8. The level of service, noted above, is included in the standard fee schedule, providing the City (and, in turn our citizens and businesses) good value for money.

The above supports the selection of a vendor under the City's Procurement Policy PS-003, 4.2.4 (k), which states:

"It is advantageous to the City to acquire the goods, services, or construction directly from another public body or public services body".

Financial Impact

Over the last five years, the City has spent an average of less than \$100,000 annually for water sample testing. Funds required to complete this work are included in the approved 2020, Environmental Services' annual operating budget.

The table below summarizes the City's average monthly costs associated with sampling at the laboratory.

Category	Parameter	Monthly YDEL Samples (Average)	Average Monthly Cost
Minimum MECP Sampling Requirements	Microbiology	135	\$3,550
Due Diligence Distribution System Samples	Microbiology	28	\$740
Watermain Commissioning	Microbiology	40	\$1,712

If additional funding is required due to regulatory changes or mandated by the Province, adjustments to the approved budget will be requested through standard processes and/or submitted through the annual budget process for future requirements.

To ensure continued alignment with the Canadian Free Trade Agreement Article 516(2), should the annual spend exceed \$100,000 a notice shall be published within 72 days of the end of the year on the City's procurement website.

Broader Regional Impacts/Considerations

Not Applicable.

Conclusion

Ontario Regulation 170/03 made under the Safe Drinking Water Act mandates sampling and testing of drinking water at provincially accredited laboratories for testing. The YDEL is ISO 17025 certified and fully accredited laboratory by the MECP.

Entering into a five-year service agreement with the YDEL for the City's water sample testing provides value for money, maintains service levels and aligns with the Corporate Procurement Policy.

For more information, please contact, James Steele, Director of Environmental Services at extension 6116.

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